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Moral Disagreement and Moral Realism

by

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Graduate School of Arts and Sciences
of Washington University in
partial fulfillment of the
requirements for the degree
of Doctor of Philosophy

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Chapter 1: Introduction

Many people are struck by how much moral disagreement there is, not only across times and across cultures, but even within them. The amount of disagreement seems to be great, both in terms of the number of issues that have been and continue to be disputed, and in terms of the range of positions held with respect to these issues. What is more, the prospects for rationally resolving much of this disagreement – for discovering arguments that will persuade all people to converge in their views – seem, to many people, grim. Many philosophers have taken this to provide grounds for doubting that there are objective, factual answers to moral questions. More specifically, they have taken facts about moral disagreement to challenge the metaethical view known as *moral realism*, according to which there is a set of facts concerning what is right and wrong (good and bad, virtuous and vicious, etc.) that applies to all people. Disagreement, they have thought, somehow suggests that either there are no genuine answers to moral questions, or that those answers are in some manner of people's own creation, such that deeply opposed moral codes could apply to different persons.¹

However, it is notoriously difficult to make this rough thought precise. Two main problems have plagued efforts to provide a compelling argument from disagreement against moral realism: First, certain of the proposed arguments turn out not primarily to be concerns about *disagreement itself*, but rather concerns about other aspects of the moral realist's view,² and certain other arguments invoke disagreement, but disagreement does not do the major

¹ For an overview of a variety of ways of arguing this, including an extensive historical review, see Gowans (2000). For a sample of relatively recent, particularly influential arguments from disagreement, see Bennigson (1996), Gibbard (1990), Hare (1952), Horgan and Timmons (1991) and (1992), Lillehammer (2004), Loeb (1998), Mackie (1977), Tersman (2006), Wong (1984), and Wright (1992).

² For instance, they might just be perfectly general epistemological concerns about how we are to access the moral facts, or metaphysical concerns that moral facts cannot exist in a purely material world.

philosophical work in inferring an anti-realist conclusion.³ Second, many of the proposed arguments seem initially plausible, but threaten to massively over-generalize, and to establish that there are no objective answers to all sorts of questions – theological ones, many philosophical ones, and even many scientific ones.⁴

In this dissertation, then, I attempt to provide the best available argument from disagreement against moral realism. I contend that existing disagreement does pose a problem for moral realism, but argue that the problem is not what many philosophers have thought.

1. Moral Realism Defined

In a sentence, moral realism is that view that our moral discourse successfully does what it looks like it does: describe the real moral facts. However, there is significant debate among philosophers over precisely which metaethical views count as realist, so we will need a precise definition to work with. As I will use the phrase in this dissertation, “moral realism,” is the combination of four theses.

The first thesis is a combination *semantic* thesis about the meaning of moral terms, and *psychological* thesis about the nature of moral judgments. This thesis is known as “cognitivism,” and it is the view that moral sentences serve to *describe* the world as being a certain way, and that the state of mind of holding a moral judgment is the state of mind of taking the world to be a certain way. Philosophers commonly cash out the psychological aspect of this thesis by using a

³ A paradigm example of this is Gilbert Harman’s (1984) argument for metaethical relativism on roughly the grounds that a) what a person ought to do depends upon her actual motivations, and b) different people have different motivations. Disagreement enters at the second stage, but the key premise is the first. I credit David Enoch (2011: 200-201) for this example.

⁴ A point emphasized most repeatedly by Russ Shafer-Landau (2003: 225, 228).

“direction of fit” metaphor to distinguish “beliefs” from “desires.”⁵ As an aside, we should be clear here that the terms “belief” and “desire” are now being used as philosophical terms of art; in common usage it may be true that many people describe certain judgments as “beliefs” that are, in the philosopher’s technical sense, desires. According to the metaphor, beliefs are mental states which have the constitutive aim of *fitting the world*. That is, they are constitutively the sorts of states that change in response to recognition by the agent who holds them of how the world is; they seek to reflect the world. In contrast, desires have the constitutive aim of *making the world fit them*. That is, there are the sorts of mental states which cause the agent who holds them to change the world. This understanding of “desire” does not require that all desires *actually cause* agents to succeed in changing the world, nor even that they actually cause agents to attempt to do so. Rather desires give agents *motivation* to do so, although this motivation may not result in action, depending on what the agent’s other desires are.

The cognitivist thesis, then, is that moral judgments are beliefs (in the philosophical sense) and moral utterances are belief reports, or ordinary descriptions of how the world is. Moral realists emphasize that the cognitivist thesis appears to nicely capture the surface appearance of moral talk. For we use indicative sentences when discussing morality just as we do when discussing history or science – we describe what is the case, and we seem to be taking ourselves to state the facts.

The second thesis which I take to be definitive of moral realism is a further refinement of the cognitivist thesis. It is the claim that moral sentences are to be given their *face-value* reading. According to what we can call this “literalness” thesis, moral claims are not just descriptions of the world of the world of some sort or other; they are precisely what they appear

⁵ This metaphor is often attributed to Anscombe (1957), although it is not clear that she actually advocated it. For a sample defense of the distinction, see Smith (1994: Ch. 4).

to be: descriptions of the moral facts (if there are any). And, analogously, moral judgments are beliefs about the moral facts. In particular, literalness holds that moral claims are not to be given some complicated philosophical reinterpretation which would not occur to lay users of moral discourse. For instance, moral claims, according to the realist, are not claims merely about what follows from some given set of assumptions which may not actually be true.⁶ Rather, it is a constitutive part of moral realism that moral discourse is about just what it looks like it is about.

The third component of moral realism, as I will understand the view, is a metaphysical “success” thesis. It is simply the thesis that people can hold *true* moral beliefs. I should emphasize that this is the only metaphysical requirement which I take to be essential to realism, and that I think the truthmakers for moral claims could be of different kinds, or even that moral claims could be true despite not *having* substantial truthmakers.⁷ For instance, moral facts might be what philosophers often call “natural” facts – that is, the sorts of facts studied by the physical and social sciences – or they might be of an entirely *sui generis*, “non-natural” sort. They might ultimately depend on facts about human interests – although, in order to preserve the literalness criterion, this could not be true in a terribly convoluted way – and they might not. They might depend on facts about what rational agents can coherently will – as Immanuel Kant believed, according to at least some interpreters – and they might not.⁸ What matters for the realist is simply that moral judgments, on some literal construal, are true.

⁶ Here I largely draw on Justin Doane-Clark (2012: 317). Doane-Clark helpfully notes that the literalness condition on realism is *not* redundant given the cognitivist and success conditions.

⁷ I take it this is one way to read the “Non-Metaphysical Cognitivism” defended by Derek Parfit (2011).

⁸ Kant, Immanuel (1785/1996). In characterizing moral realism as I do here, I allow that some views which have been called “constructivist” by some parties in the literature – and which are thereby supposed to be distinct from realist views – count as realist. I do not think I am alone in characterizing these views as realist – compare, for instance, the characterization of realism in Cuneo (2007: Ch. 1).

The fourth and final component of moral realism, as I will understand the view, is a combination semantic thesis about the indexicality of moral judgments, and a scope thesis about the applicability of moral requirements. It is the thesis that moral judgments are not (at least in normal cases) implicitly indexed to a particular subset of rational adult human beings, and that moral requirements apply to all of us.⁹ We can call this the “anti-relativist” thesis, where “relativism” is the view that whether a particular moral claim is true or false depends essentially on the context in which it is assessed, and that entirely different moral standards may apply to different groups, in the sense that what makes something right or wrong, or what counts as a moral reason for or against something, may vary.

Now this fourth component of moral realism, as I am characterizing the view, is the one which I find the most difficult to define precisely, and it is also the aspect of my characterization which is likely to be the most controversial.¹⁰ So let me take a moment to defend it and to offer some qualifications. To begin with, I am not entirely happy with calling it “anti-relativism,” because I think that views which capture most of what moral realism wants to capture may accommodate *some* degree of moral relativism. For instance, if there were a distant race of aliens which were rational but psychologically quite distinct from ourselves, then perhaps what counted as a moral reason for them could be quite different from what counts as a moral reason for us, or perhaps morality just wouldn’t apply to them. Also, more locally, it seems that our judgments about what is right or wrong depend in important ways upon individual circumstances, and that radically different behaviors seem called for in different contexts. This

⁹ I say “in normal cases” because some moral judgments plausibly are indexed to certain groups, such as when an academic dean says “it is wrong not to hold regular office hours.” But this will only obtain in cases where the context makes it clear that a certain group (and only that group) is being addressed.

¹⁰ Whereas I think that any view which denies cognitivism and/or metaphysical success thesis is *clearly* not realist.

may even be so to such an extent that realists may allow that almost all moral principles, when formulated in a general way – principles like “don’t steal” or “keep your promises” – are false.¹¹ And unfortunately, I do not know how to state precisely *how much*, and what type, of relativism I think moral realism can accommodate, and thus do not know how to formulate the anti-relativist thesis precisely so that it is certainly a commitment of moral realism.

But the rough principle that I take moral realists to be committed to, which I believe commits them to *some* version of the anti-relativist thesis, is that morality is not easily *escapable*. That is, one cannot prevent moral requirements, as a class, from applying to oneself simply by not caring about morality (or about things, such as other people’s well-being), or by not agreeing to participate in the “moral practice.” Now I do *not* claim that moral realists must hold that every person has most reason to do as morality requires (what is sometimes called “moral rationalism”). Indeed I do not even insist that moral realists must hold everyone has *some* reason to do as morality requires – morality may be, as Philippa Foot once argued, a system of “hypothetical imperatives.”¹²

But I do claim that if it is worth caring whether moral realism is true, moral requirements cannot be such that rational adults may fall entirely outside its purview, or such that basic moral standards could vary across persons, in the sense that what sorts of considerations count as good-making or bad-making features could vary. I confess that I do not know how to argue for this thesis other than by appeal to intuition about what kind of thing a moral requirement, if such a thing exists, would be. If there are any moral requirements, they are the kinds of things that *justify* living in certain ways rather than others, and make certain actions *blameworthy*, and they

¹¹ As so-called “moral particularists” hold. See Dancy (2004) for a comprehensive statement of such a view.

¹² See Foot (1972). Foot has since renounced this view.

do not do so merely for some of us in ways that fundamentally depend upon contingent facts about us that others do not share. To make a bold claim, I take it that it is worth caring about whether moral realism is true because the truth of moral realism would seem to best vindicate our practices of blaming people for perceived violations and encouraging ourselves and others to behave in accord with moral requirements. But if these requirements were not constant across persons, or if one could simply “opt out” of them, so to speak, our common moral practice would fail to be vindicated. Indeed for this reason I think that this anti-relativist thesis arguably follows from the literalness thesis, as the rejection of relativism, at least across our species, may be part of taking morality at face value.¹³

Thus, putting the four components of moral realism together, I take it to be the view that moral judgments are beliefs, which are to be construed literally and which are not normally implicitly indexed to only to a certain subgroup of humans, many of which are true. And that is the thesis which, as I shall argue, is challenged by the phenomenon of moral disagreement.

2. Competing Metaethical Views

Denying any of the four theses laid out in the first section results in a view which, by my lights, is anti-realist. Denying the cognitivist thesis makes one a so-called “noncognitivist.” Noncognitivist views have become extremely sophisticated in recent decades, particularly in the form of the “expressivist” views of Simon Blackburn and Allan Gibbard,¹⁴ and noncognitivists now claim the right to say many things which *prima facie* sound as though they would be available only to cognitivists -- for instance, expressivists speak of moral beliefs, moral truth and

¹³ However, since I am not sure that this is so, I list it as a separate criterion.

¹⁴ See especially Blackburn (1993) and (1998) and Gibbard (1990) and (2003).

falsity, and moral knowledge. But all such views share the commitment that moral judgments are in the first place states of mind that make the world fit them, and not the other way round.

Denying the literalness thesis makes one some sort of a moral revisionist. Although it allows one to maintain that moral judgments are beliefs, and may hold many of them as true, revisionism will have to insist that common people are not doing quite what they think they are doing when making moral judgments, and thus that people are to some degree confused.

Denying the success thesis makes one a moral error theorist. The error theorist holds quite simply that moral discourse purports to describe moral truths but systematically fails to do so. It is in that sense like talk about astrology (among those who actually believe it).

Finally, denying the anti-relativist thesis obviously makes one a relativist. The relativist may hold that certain moral judgments are true or false, but that their truth or falsity depends in an essential way on the context of assessment of the proposition, and so moral beliefs are subtly indexicals. As I noted above, there is some plausibility to the view that one can be both a moral realist and relativist, but because I find this to be a type of moral realism little worth caring about – and because I think most actual moral realists agree – I do not consider this possibility in the remainder of this work.¹⁵

One sort of view that we should consider and attempt to characterize before proceeding is what is known as a “subjectivist” view. According to subjectivists, claims of the form “*x* is right” or “*x* is wrong” have as their truth conditions facts about what a particular agent or group of agents desire and/or approve of, or perhaps *would* desire and/or approve of under suitably idealized conditions. Although this may be taxonomically unorthodox, I think of subjectivist views as being potentially realist views, but much more likely relativist views. I take them to be

¹⁵ For more on this sort of view, see Sayre-McCord (1991).

potentially realist because if moral claims have as their truth conditions facts about what *all* (or at least nearly) all human beings, suitably idealized, would approve of, then there will be straightforward facts about what is good or bad for all of us, and claims about these facts will not be implicitly indexed to certain groups. And if the subjectivist can secure such facts, then it seems to me he has secured everything really worth caring about in the moral realism/anti-realism debate.¹⁶ Although I will not defend this claim here, my suspicion is that subjectivist views will end up being relativist because, given what I take to be plausible assumptions about human psychology, the view will entail that moral requirements vary considerably between persons, and so moral claims will be indexed.¹⁷ However, I do *not* rule out from the start that a non-relativistic subjectivism is a potentially successful view. Rather, I think that the argument I ultimately give against moral realism will target this kind of inter-subjective view just as effectively as it targets a more “traditional” moral realist view.

3. On Realism and Scorekeeping in Metaethics

Before I proceed to discuss how disagreement may be a problem for moral realism, I should note from the outset that this dissertation will *not* aim to establish that moral realism is, at the end of day, an unacceptable metaethical view. This is because metaethical views as broad as moral realism must be assessed in terms of how they fare on a very wide range of desiderata,

¹⁶ I should note that some philosophers would strongly disagree with what I say here, insisting that subjectivist views are unacceptable even if they succeed in securing the things I mention above, because they get something seriously wrong about the *order of explanation* of our moral judgments and the moral facts. Specifically, they think, following the point of Plato’s *Euthyphro*, that we disapprove of the bad things *because they are bad* and approve of the good things *because they are good*, not the other way round. I concede to feeling some force in this point, but I am not convinced that it is devastating to the subjectivist to simply bite the bullet on this point, and so I will not address it further. In any case, I cannot be accused of being unfair to the subjectivist by assuming that it *isn’t* a problem for him.

¹⁷ Perhaps idealizing will mitigate this worry, although I remain dubious.

some of which I will touch upon only in passing, and some of which I will not touch upon at all. To determine whether moral realism is plausible, one would have to weigh how it fares on all these matters as compared to how certain competing packages fare, and it would take a much larger work than even a dissertation to do so adequately.

My more limited aim is to investigate whether moral realism has *some kind of non-negligible problem* due to moral disagreement. This inquiry is worthwhile in itself, because while many anti-realists have been convinced that moral realism is downright *unacceptable* due to issues surrounding moral disagreement,¹⁸ moral realists have responded that disagreement is essentially no threat to their view *at all*.¹⁹ So one goal of the dissertation is to see what the best possible argument from disagreement against moral realism is, because if we determine that even it has no force against the moral realist, then moral disagreement would seem to no longer even deserve a place at the table in metaethical theorizing. But in fact my main, more ambitious goal is to establish that given plausible empirical and moral assumptions, issues surrounding moral disagreement do indeed count significantly – even if not necessarily decisively – against moral realism. So we will be out to see whether facts about moral disagreement succeed in providing any of what David Enoch has helpfully called “plausibility points” on the metaethical scoreboard for anti-realism *vis-à-vis* realism.²⁰

4. An Inspiration: Kalderon’s Argument from Disagreement

The argument that I will ultimately offer in this dissertation for moral anti-realism is in important respects inspired by one offered by Mark Eli Kalderon. In what he terms the

¹⁸ See for instance Tersman (2006) or Kalderon (2005).

¹⁹ See most particularly Shafer-Landau (2003).

²⁰ Enoch (2011: Ch. 1).

“Argument from Intransigence,” Kalderon argues that moral noncognitivism follows from facts about how it is appropriate to respond to moral disagreement. According to Kalderon, it is an epistemic requirement that, when an individual has accepted a belief “on behalf of others” – which roughly means that she accepts that others should rely on her judgment on the matter in reasoning and deciding to act, and need not inquire further into the matter – then, if she encounters disagreement over that belief from a reasonable person, she is under some sort of “lax obligation” to revisit her grounds for the belief, to see if they are sufficient.²¹ (The obligation is lax in that the person need not revisit immediately.) But, Kalderon continues, we do not take such a requirement to hold when we encounter moral disagreement, and his evidence for this that we may not be moved *at all* to adjust our moral views in the face of disagreement even with reasonable people. He concludes that moral judgments cannot be beliefs.²²

I think Kalderon is on to something here. But, as his argument stands, it is quite unacceptably question-begging. This is because he offers no attempt to explain why the alleged fact that we are (or would be) intransigent in the face of disagreement shows that such intransigence would be *justified*. Rather, he moves directly from the claim that it is *intelligible* that a person would not be moved to revisit her grounds for holding a moral claim that is disputed by a reasonable person, to the fact that acceptance of a moral judgment cannot be belief.²³ But the realist can simply reply that there are all kinds of intelligible cases in which closed-minded people are not moved to revisit certain judgments they hold in the face of disagreement with a reasonable person, even though they should. And surely Kalderon does not intend for his argument to establish global anti-realism.

²¹ Kalderon (2005: 20-26).

²² Ibid: 33-37.

²³ Ibid: 36.

Moreover, it is not clear what to make of Kalderon's epistemic principle concerning the appropriate general response to disagreement. For in the case of disagreement about matters that one has already thought about in great detail, it is hard to see what it would *mean* to say that one is under a lax obligation to revisit one's grounds for the belief. Suppose, for instance, it strongly seems to me, after investigating all of the evidence carefully, in great detail, in as unbiased a manner as I can, etc, that anthropocentric global warming is occurring. Now I find that someone I take to be a reasonable person disagrees. What does revisiting the grounds of my belief now consist in? I have already gone over them extensively, and know that my considered overall opinion is that the evidence supports a particular conclusion. It seems like the instant I recognize anew having been carefully through the evidence, the lax obligation is plausibly discharged. If something similar happens in moral disagreements, then it might not be that we are intransigent *because we have no lax obligation to revisit the grounds of our judgments*, but rather that we are intransigent because revisiting our grounds simply involves being momentarily aware of the reasoning that supports our moral views, much of which may be based on intuitions.

Thus, if something like Kalderon's argument which appeals to our response to moral disagreement is to have any force against realists, it must be improved upon in two respects. First, it must be shown that, if moral judgments are as the realist says they are, there really is some way in which we epistemically ought to respond to disagreements over them that is *not* how we are disposed to respond. Second, it must be shown that it is more plausible that the right diagnosis of this intransigence is that moral judgments aren't the sorts of judgments the realist takes them to be, rather than that people are just irresponsibly stubborn in response to moral disagreement. In brief, what I will ultimately call the Best Argument from disagreement holds that there is good reason to side with the anti-realist, because the anti-realist provides a *better*

explanation of the complex phenomenology of moral disagreement than the realist does. My argument does not aspire, as Kalderon's appears to, to show that moral realism *cannot* be true, given facts about how people respond to moral disagreement. What it aspires to do is to show that given how people are disposed to respond to moral disagreement across a wide range of cases, the moral realist gives a comparatively strained explanation of the nature of moral commitment.

5. Outline of Remaining Chapters

The dissertation has four remaining chapters. In chapter two, I discuss one major class of argument from moral disagreement against moral realism – what I call the Abductive Argument from disagreement. This class of argument holds that some *non-moral* fact about moral disagreement is better explained by an anti-realist metaethical theory than by moral realism. In the chapter I survey various candidates for what this fact could be, but contend that none proposed to date has been satisfactory.

In chapter three, I discuss a second major class of argument from disagreement – what I call the Epistemic Argument from disagreement. This class holds that *because of* moral disagreement, moral realists must be committed to an extremely implausible moral skepticism, and thus that moral disagreement indirectly counts against moral realism. In the chapter I discuss various ways of making this argument precise and contend that none of the existing arguments establishes a sufficiently broad moral skepticism that the moral realist cannot plausibly tolerate it.

In the fourth chapter, I turn to the question of how it is *generally* appropriate to respond to disagreement with others about judgments which we take to be non-indexical beliefs. I

provide what I take to be a novel answer to this question which requires that we be fairly concessive in the face of many disagreements, but not implausibly so. I call my view in the epistemology of disagreement the Relative Weight View.

In the fifth and final chapter, I bring the insights of the previous three chapters together in presenting what I take to be the best argument from disagreement against moral realism. In short, I contend that, given the Relative Weight View presented in chapter four, and given reasonable empirical assumptions about the amount of moral disagreement, a fairly large amount of moral skepticism is called for, as the advocate of the Epistemic Argument maintains. But, expanding upon Kalderon's intuition, I maintain that we feel it would be *morally* inappropriate to retreat to skepticism about many moral matters – that is, we feel that we ought to flout the epistemic disagreement norm which would seem to hold if moral realism were true. And I then argue that, although the moral realist may offer some diagnoses of why this state of affairs should obtain, the realist's explanations are less plausible than the anti-realist's. Thus, I propose a new version of the Abductive Argument which incorporates the insights of the Epistemic Argument, and which seeks to explain not a non-moral fact, but a moral one. And I claim that this represents genuine progress for anti-realists who have long been concerned about disagreement, as it is by bringing together two seemingly disparate strands of argument that the best argument from disagreement, which does score some significant plausibility points for anti-realism *vis-à-vis* realism, is generated.

Chapter 2: The Abductive Argument

1. The General Form of the Argument

Probably the most widely discussed type of argument from disagreement for moral anti-realism is the abductive, or “inference to the best explanation” argument. Proponents of this sort of argument claim that the phenomena which characterize moral disagreements are better explained by the thesis that there are no moral facts than by the thesis that there are moral facts. I suspect that when most philosophers think of “the” argument from disagreement against moral realism, or when non-philosophers have a vague sense that moral disagreement suggests that ethics is not “objective” in the way that science is, they (perhaps implicitly) have the Abductive Argument in mind. Very roughly, the thought behind the Abductive Argument is that there probably wouldn’t be as much disagreement as there is, and/or it wouldn’t be so hard to resolve it, if there were the sorts of moral truths that the realist believes exist.

Different versions of the Abductive Argument try to make this thought more precise in different ways. Any potentially persuasive version must meet two preliminary constraints. First, it must provide an account of how moral disagreements are, or at least can be, unlike perfectly ordinary disagreements over objective facts. This is a necessary starting point because most everyday factual disagreements are *obviously not* better explained by anti-realism concerning the subject matter of the disagreement than by realism. For instance, we do not, and should not, infer from the fact that Mr. and Mrs. Jones disagree over what song was on the radio at 8:00 PM that there is likely to be no fact as to what song was on the radio at 8:00 PM. This is because anti-realism about radios and/or songs does not seem to provide *any* better of an explanation of the Jones’ disagreement than does the thesis that one of them simply misremembers what was on the radio. More generally, the mere fact that two ordinary people disagree over a question *Q*

doesn't make it probable that *Q* lacks an objectively correct answer, or that we should be anti-realists about the subject matter of *Q*; indeed it seems like such individual instances of disagreement do not constitute any evidence in favor of anti-realism *at all*.¹ Any potentially forceful Abductive Argument, then, must purport to show that moral disagreement is *special* in some way. The proponent of the argument must contend that (at least some) moral disagreements possess some characteristic that disagreements over objective facts typically lack, and, moreover, that this feature of (at least some) moral disagreements is best explained by some version of moral anti-realism.²

Second, an advocate of the Abductive Argument must contend that there is disagreement over a sufficient *range* of moral questions that moral realism as a whole becomes an implausible theory. This is because even if a special sort of disagreement were to characterize debate over certain *very specific* moral questions, that would by no means show that there are no moral truths at all. To see this, suppose now that Mr. and Mrs. Jones disagree over what song was on the radio at 8:00 PM because their radio was picking up limited signals from two separate stations at that moment, and a listener could make out some of both "Hotel California" and "Amazing Grace." Mr. Jones insists that "Hotel California" was coming through much more strongly, and so it was on the radio; Mrs. Jones insists the same thing but concerning "Amazing Grace." In this case, we might with some plausibility diagnose their disagreement as stemming from the fact that there just *isn't* a fact of the matter as to which *one* song was on the radio at 8:00 PM. But of

¹ Although I am not sure about this, because if there is a *lot* of disagreement about some question, that does seem to count as at least some reason (obviously capable of being outweighed) to doubt that it admits of a factual answer. So maybe even single instances provide extremely slight reason, and that is why when there is a lot of disagreement, this seems to count as substantive reason.

² It could of course be some *cluster* of features that, *collectively*, factual disagreements do not exhibit (but in the interest of simplicity I will speak as though this is a single feature).

course that doesn't in any way impugn the (almost surely correct) view that there are many straightforward facts about songs being on radios. Likewise, the moral realist may be happy to concede that there is no fact about the *precise* percentage of one's income that one is required to give away to combat world poverty, yet maintain that there are some people who clearly give enough to discharge their moral obligations, and some people who clearly do not.

With that said, we should not necessarily assume from the outset that the range of moral questions about which there is some special sort of disagreement must be *especially* large in order for any Abductive Argument to possibly be persuasive. For we should not rule out the possibility that some form of moral anti-realism could better explain why there is disagreement over some particular set of issues than realism could. However, if the range of issues is quite small, the realist will probably be able to reject any inference to anti-realism on that basis, by noting that it is familiar that some questions within a factual domain should be difficult to answer, and hence should occasion substantial disagreement. Thus, the range of issues which occasion some special sort of disagreement must be at least fairly large (and unfortunately we are not yet in a position to say anything much more precise than that).

Putting this together, we can outline the general form of the Abductive Argument:

- 1) There is moral disagreement about issues in R (where R is some range of moral questions). This disagreement bears some feature F , which is such that it is much less likely that disagreement over objective, factual issues would display F , than that disagreements over non-factual issues would display F . (Premise)
- 2) So, the best explanation of disagreement within R is that there are no R -facts.
(Abductive inference from 2))

- 3) *R* includes a sufficient range of moral questions such that it is plausible that whatever metaethical view we hold toward *R*-facts should be our view about moral facts as a whole. (Premise)
- 4) Therefore, the best explanation of the exact type and extent of moral disagreement that we find is moral anti-realism. (From 2) & 3))

Before proceeding, we should consider briefly why the argument is always presented as a merely abductive one, given that a deductively valid argument could easily be constructed by strengthening the premises a bit. Specifically, we could change 1) to the claim that disagreements over objective, factual issues *cannot* display *F*, but disagreements over non-factual issues can, and replace the word “best” in 2) and 4) with the word “only.” The thrust of the argument would then be that, if moral disagreement bears *F*, moral realism is impossible. I take it the reason why no one has actually defended such a strong argument is simply that it is very hard to see what feature moral disagreement could have such that it literally *couldn't* result from some people's being mistaken, unless the possibility of being mistaken about an ethical matter has been ruled out already – in which case one is already relying on some other anti-realist argument. With that said, if the anti-realist can identify a feature of moral disagreement that applies to a wide range of moral questions that she can easily explain, and that the realist can explain only with considerable difficulty, this may score significant “plausibility points” for anti-realism *vis-à-vis* realism.

And, as we will see in this chapter, it is difficult enough even to identify a feature of moral disagreement that can do this. For the proponent of the Abductive Argument must try to steer a narrow course between two potential defeaters. On the one hand, she must locate a putative feature of moral disagreements that is unusual *enough* that the realist cannot easily

explain it, by pointing to disagreement in several other domains which we are inclined to be realists about, and employing whatever resources realists in those domains employ to explain their disagreement. On the other hand, the proponent of the Abductive Argument must avoid putting forward a feature that is so peculiar that the moral realist can plausibly deny that any significant range of moral disagreements could exhibit such a feature. What we shall see is that virtually all existing versions of the Abductive Argument fall short on one of these two scores. Hopefully, this will allow us to discover what routes, if any, exist for the argument to be improved.

2. Extensive Disagreement

Probably the most natural version the Abductive Argument to start with would be the version according to which moral disagreement is special simply in that there is so much of it. So let us consider the version of the argument based around F_1 : the feature of being very *extensive*. Moral disagreement might be thought to be quite extensive in at least two dimensions. First, there are a very large number of moral issues which people disagree about.³ Second, the range of views taken on many particular issues is quite wide. Producing examples of these two

³ Some people seem to think that the fact that there has been so much disagreement *over time* is also significant, in that we would not expect to see so much disagreement between people of different eras, especially about questions which people have been actively trying to address, if there were realistic moral facts. However, it is hard for me to see how this consideration could have much force. For even if it is true that we would not expect there to be disagreement about the moral facts over time, this point would seem to be counterbalanced by the fact that many of the views that were widely held in the past are widely rejected as mistaken now. This would suggest there has been moral progress (more on this below in §3), which would tell in favor of realism. So it seems to me that appeals to past disagreement will at best come out as a wash. Now it is possible that the advocate of this form of the argument might reply that the large amount of disagreement over time should decrease our confidence that we are correct now. I am not unsympathetic to this point, although I do not think that it is in the first place a version of Abductive Argument, but rather a version of the Epistemic Argument, which I discuss in the next chapter.

phenomena is very easy: there remains great disagreement about what sorts of moral obligations the wealthy in societies have to take care of the poor, both within their own societies and without; there remains great disagreement about whether it is permissible to terminate a pregnancy at various points and for various reasons; there remains great disagreement about whether various forms of paternalism are justified, if they prove to save lives in the long run, but to limit people's freedoms; and of course many different positions are held with respect to each of these issues, and there are very many more such issues.

It is pretty easy to see how a proponent of this version of the argument would contend that the characteristic it puts forward applies to a sufficient range of disagreement. For the argument would simply be that we would not expect there to be so many moral issues that people disagree about in so many different ways if moral realism were true.

One major issue for this argument, however, is that it seems very hard to say, even in rough terms, how much moral disagreement there actually is. It is true that there are many issues which remain disputed between persons within cultures, and even more between cultures, but there is also plausibly a lot of *agreement* which is easy to ignore simply because it is so obvious. Virtually everyone in the world (who makes any moral judgments at all, that is) seems to agree that good societies are those that enable people to live happily, that it is wrong to punish people for crimes that they haven't committed, that generosity and industriousness are virtues whereas miserliness and sloth are vices, and so forth. There might of course be a few people who deny some or all of these claims, but it is hard to see why that should be much of a worry for the realist at all; there are also plenty of people who do not accept theories of modern medicine, and I take it that is not a very strong argument against the existence of medical facts.

The difficult question, then, is just how to balance all of the agreement against the

disagreement in order to come up with a general statement of how much disagreement there is as compared to the amount of disagreement that there is in, for instance, various sciences (which most people take to be paradigmatically realist domains). It is true that when one focuses on the sorts of issues that divide people – such as those I discussed in the previous paragraph – and thinks further about differences between our culture and the cultures of other nation-states that are more theocratic, despotic, and/or communist, the amount of disagreement can seem enormous. But when one focuses on the fact that nearly everyone agrees on certain general moral claims, it can seem as though much of the disagreement is more toward the periphery.

Moreover, it is plausible that there is less moral disagreement now than in the past, as some particular issues which were previously widely disputed now command overwhelming agreement, such as whether it is permissible to treat someone differently on the basis of skin color. This is potentially important for at least two reasons. First, given this apparent trend to convergence on at least some questions, it may not be unreasonable to be optimistic that there will be more in the future,⁴ so that even if there remains much disagreement, the abductive inference to anti-realism will be much less plausible if it is shrinking. Second, the realist may emphasize that the convergence itself is something for which one could reasonably seek an explanation, and moral realism can provide an excellent explanation of *that*.⁵ Of course, anti-realists will certainly be able to provide *possible* explanations of convergence, but likewise realists will always be able to provide *some* explanation of moral disagreement. Considering plausibility points as we are, the question is which explanations are *better*, and by how much. So given that any argument to the effect that moral anti-realism best explains the existing

⁴ Derek Parfit is widely cited for making this point. See his (1984: 453-454).

⁵ On this point see Brink (1989: 208-209). The straightforward explanation the realist will give is that we are converging because we have gotten better at detecting the facts.

disagreement will have to be counterbalanced against a case that moral realism best explains historical and potentially ongoing convergence, it is far from clear that anti-realists have the upper hand. In light of all this, it is not altogether surprising that advocates of this sort of Abductive Argument have maintained that its force plausibly depends on how much disagreement there is, but have often had precious little to say about that latter issue.⁶

Furthermore, realists may contend that much of the disagreement which persists ultimately depends upon non-moral disagreement, and thus that the *distinctly moral* disagreement is especially easy to over-exaggerate.⁷ For instance, views concerning women's roles in society and the workplace have changed rather dramatically, at least in much of the world, in the last couple centuries. This is seen in changing views on, for example, whether women should be given the right to vote, whether young boys and girls should receive the same education, and whether men and women should be paid equally. Importantly, at least in large part, these changes seem to result from changing attitudes about non-moral issues such as women's abilities to perform as well as men in various sorts of careers, or the possibility of raising successful and happy children in families that include full-time working mothers. That is, most people – although perhaps not all – would *agree* that women should have the right to vote if they are roughly as informed about the issues as men are, roughly as intelligent, roughly as good at picking leaders that lead the nation effectively, and so forth. The historical disagreement about this issue seemed to result primarily from seriously misguided views about women's potential.

And, of course, this does not seem to be an isolated or unusual example. A similar story to the one just told probably explains much of the disagreement that has existed or continues to

⁶ See in particular Loeb (1998), but also Mackie (1977).

⁷ A point particularly emphasized by Brink (1989: 208-209).

exist concerning treatment of persons of different races, ethnicities, and sexual orientations. Now with respect to some of these matters – particularly perhaps issues regarding sexual orientation – purely *empirical* disagreement may not be the whole story. However, non-moral disagreement is still plausibly responsible for much of the disagreement that exists. For many people that oppose rights for homosexuals, for instance, certainly do so because of religious views that they hold. Things do get complicated here, as it is far from clear that people's moral and religious views can be disentangled, even in theory; many people are (perhaps implicitly) Divine Command Theorists, holding that things are right or wrong because (that is, just because) they are commanded by God, as revealed in certain scriptures. So it would, I think, be inaccurate to say that all religious disagreement is non-moral disagreement. But nonetheless some seemingly non-moral religious questions, such as which texts are canonical, or how to interpret certain verses, could be responsible for many existing moral disagreements.

Overall, I find it very hard to say just how much *genuine* moral disagreement there is. However, let us, not unreasonably, suppose that there still is a very large amount of moral disagreement, and let us, perhaps less reasonably, suppose that it is not shrinking that much. Still, I do not see good reason to believe that there is much more moral disagreement than there is disagreement about, to return our previous example, religion. For just as there have been great differences in the prevailing moral ideology held in different times and places, there have been great differences in the prevailing religious faith, and just as the world, and many societies within it, remains greatly divided today about many moral matters, so it does with respect to religious matters as well. And, crucially, I do not think that most people take this by itself to count as a very persuasive consideration in favor of atheism, or in favor of the view that religious

claims don't purport to describe facts about the universe.⁸ For the religious realist – that is, the theist – may offer explanations for why many people would be mistaken about religious questions. First, people's religious views often constitute deep parts of their identities, such that they will center their lifestyles around those views being true, and it will be hard for them to accept that the views they have come to hold are false. Thus even when presented with evidence or arguments that would seem to tell against their views, they will be inclined to respond by ignoring or discounting it. In short, people will have reasons to be stubborn. Second, questions about the nature of God (or the gods) and the afterlife are plausibly just *really difficult questions* to answer. Many pieces of evidence may bear on them, potentially revealed by particular individual experiences which may not be shared by others, and the most important arguments which bear on the issue may be difficult to evaluate.

Analogues of these moves then seem to be available to moral realists to explain extensive moral disagreement. People's moral views will tend to form important parts of their identities in a similar way to their religious views – compare, for example, people's political party allegiances – and thus once entrenched they will be hard to change. Additionally, questions about the morally right way to live may just be very difficult questions, as fine details can make big differences concerning what is right or wrong in various cases.⁹ Unlike in science,

⁸ It may be that we can turn this into an argument for atheism if we add in some premise to the effect that if there were a God or gods, that being(s) wouldn't make it so difficult for people to know about its/their existence that most of the world would be mistaken. I am not myself endorsing that argument, because I am not convinced that the additional premise is plausible. Still, even if it were a good argument, a parallel argument would not seem to work in the moral case, unless we also had a reason for thinking that the moral facts couldn't be beyond our ken. And I don't deny that there could be such a reason; my point is simply that if one were to infer moral anti-realism on that basis, the inference would clearly not be based *solely* on the fact that moral disagreement is extensive.

⁹ Russ Shafer-Landau (2003: 225), for instance, readily accepts as a realist that many moral truths may “elude even our best epistemic efforts.”

physical experiments cannot settle many moral questions, and knowing the answers to some ethical questions may require technical empirical knowledge which few or no people possess, particularly as new developments in technology and further globalization present us with new options and cause us to face new moral puzzles.¹⁰

There is a subtle point that deserves elaboration here. It is sometimes suggested that “inference to the best explanation” arguments within a domain are flawed or misleading when focused narrowly on only one explanandum, or a small range of explananda, within that domain, because what best explains that narrow range of phenomena depends upon what explains the full range. Enoch, for instance, argues that in many cases it would be misleading to say that some version of moral anti-realism provides a better explanation of certain of the phenomena of moral disagreement, if moral realism provides a better explanation of our overall moral practice. The thought, if I understand it, is that if moral realism provides a better explanation of the overall practice, then the rules of the game change when we consider some subset of the data, in that we now have reason to see realism as the *default* view, in which case realist explanations of the relevant data become *better* explanations.¹¹ Now to begin with I think that this is incorrect. In brief, I think so because even if we judge that moral realism provides the best explanation of our overall moral practice – which I doubt, but will grant for the moment – we will make that judgment by weighing how moral realism fares on the various desiderata that matter in metaethical scorekeeping. So it does not then seem to me that after the “final score,” so to speak, has been (provisionally) tabulated, one can go back and adjust the plausibility points assigned to

¹⁰ It is noteworthy, I think, that some of the most hotly issues both among academics and the general public in the contemporary United States concern whether it is permissible or required to do things which until recently were not possible. Consider for instance emergency contraception, and the ability to give aid to charities working in distant countries that allow one to monitor closely how donations are used.

¹¹ Enoch (2011: 194-195).

various considerations that factored in arriving at that score. When we are evaluating the plausibility of competing metaethical theories, and how they fare on various desiderata, we ought to drop our supposition of which theory is true, and investigate the matter as a neutral, metaethically uncommitted student would. If, to such a person, anti-realism would appear to provide a better explanation of moral disagreement, then that scores points for anti-realism. Those points certainly may not in the end be decisive, but they count.

Why is this relevant to the present discussion? Because, in the opposite direction, it might be suspected that my diagnosis that religious anti-realism does not best explain religious disagreement does not entail that moral anti-realism does not best explain a comparable amount of moral disagreement *if religious realism offers a stronger explanation of the overall religious practice than moral realism does of the moral practice*. This is because if religious realism did offer such a comparatively stronger explanation of the practice, then it would enjoy a stronger default status, and *that* would be why it better explained the disagreement. But for the reasons just explained, this is not how I approach the question, nor do I think it is how anyone else should. Rather, I think the realist explanations appealing to how religious views are tied into people's identities, and that if there were any religious truths, they might well be very difficult to ascertain, are *on their own* good explanations of the disagreement. And that is why I think the realist explanation of moral disagreement is equally good.

In the end, then, I do not see how a version of the Abductive Argument can be based on F_1 in such a way as to have much force against the realist. It is doubtful that there is significantly more moral disagreement than there is religious disagreement, and the mere fact that there is considerable religious disagreement seems so easily explicable by the theist that it, by itself, does not seem to count as a serious argument against her view.

3. Extensive Disagreement in Motivational Attitude

Perhaps a more promising thought is that moral disagreement is unlike disagreement in domains where realism tends to be plausible in that moral disagreements seem to characteristically involve clashes of motivational attitudes, or desires, whereas most factual disagreements need not, and typically do not.¹² For instance, if Don judges that abortion is always seriously morally wrong, and Judy judges that is permissible at least until the third trimester, these beliefs are not typically otherwise inert in their respective lives. On the contrary, we would expect Don to discourage people – particularly those closest to him – from having abortions, to support public policy illegalizing them, and so forth, whereas we would expect Judy to encourage women to make their own choices, to support public policy keeping them legally available throughout most of pregnancy, and so forth. And of course this is not unique to the issue of abortion – motivation is connected to moral judgment more generally.¹³ On the other hand, if Al and Beth disagree about what the area code of Fargo is, then, unless they need to contact someone in Fargo, or have some other special reason to care, their disagreement is unlikely to touch on their desires at all – it may be “purely academic,” so to speak. Thus a second version of the Abductive Argument might be constructed around feature F_2 : the feature of being associated with extensive “disagreement in attitude.”

¹² The first philosopher of whom I am aware who explicitly argued that this fact told in favor of an anti-realist metaethical view is C.L. Stevenson. See Stevenson (1963: Ch. 1 and Ch. 9).

¹³ Just how intimately is it connected? That is a thorny matter that I can afford to leave open here. Some metaethicists, known as “internalists,” believe that there is a deep conceptual connection, such that it is not possible for an agent acting rationally to make a moral judgment without being motivated to some extent to act in accord with that judgment. For classic arguments for this sort of view see Hare (1952: 148ff), Smith (1994: Ch. 3), and Lenman (1999). So-called “externalists” believe that this claim is too strong, but they nonetheless recognize a very robust (even if by their lights contingent) connection between moral judgment and motivation. For important arguments against internalism see Brink (1998: Ch. 3), Zangwill (2003), and Svavarsdóttir (1999).

This version of the Abductive Argument certainly has some initial appeal, and has been extremely influential among modern moral anti-realists.¹⁴ One thing that it has going for it is that F_2 is a characteristic of moral disagreement which many anti-realists are especially well-equipped to explain. For anti-realists may say that people differ in the moral judgments that they hold precisely *because* people differ extensively in their motivational attitudes, and those attitudes in some way shape their moral judgments – although different anti-realist theories will flesh this out differently. Noncognitivists, for instance, will hold that moral judgments just *are* motivational attitudes, rather than beliefs. Relativistic subjectivists may hold that moral judgments are (indexical) beliefs whose content concerns our attitudes in some way. Error theorists may hold that moral judgments are beliefs which purport to be about a stance-independent moral reality, but which result from wishful thinking that is misleadingly shaped by our attitudes, and are systematically mistaken. And there may be other anti-realist alternatives.

Additionally, there is plausibly a considerable amount of this disagreement in motivational attitude. As we saw in the previous section, there may not be more moral disagreement than there is disagreement in other domains which seem potentially realist-friendly, but there certainly are a lot of issues which remain widely disputed, and it certainly seems characteristic of this disagreement that it involves conflicts of desires. So if this feature of moral disagreement is sufficient to license the inference that there are no right answers to those questions, it may be sufficient to license the inference to general moral anti-realism.

However, partly for reasons that we have already touched on, it looks like the moral realist can also provide a plausible explanation for why moral disagreement would bear F_2 .

¹⁴ I take this to be the proper interpretation of J.L. Mackie's famous and widely-cited "argument from relativity." Mackie explicitly emphasizes that, in his view, moral disagreement differs from disagreement in science in that it reflects people's "ways of life." See Mackie (1977: 36-37).

There are two significant things that the realist may say here. First, she can note that it would be question-begging simply to assume that moral disagreements are always *caused by* motivational differences between people. It may instead be that people come to hold different beliefs about moral matters, using processes of moral reasoning that need not be influenced by their motivational attitudes, and *thereby* come to be motivated to act in different ways, because motivation typically accompanies moral judgment.¹⁵ Second, the realist may note that because moral judgments serve to justify certain courses of behavior or ways of life, and condemn others, people will be quite uncomfortable if their moral beliefs do not permit their living as they do. As a result, there is strong practical incentive to *rationalize* when thinking about moral questions.¹⁶ When we further account for the empirical fact that cultures and subcultures exist with differing values – often as a result of, or part of, differences in religion or fundamental worldview – and that there is significant pressure for people to inculcate the prevailing values of the culture in which they live, the realist may reasonably maintain that it is hardly surprising that great differences in moral views would reflect differences in motivation.¹⁷

We should pause to address a potential rebuttal here. Some anti-realists might insist that the realist’s “rationalization” response is simply grist for their mill, because, they might contend,

¹⁵ There are several reasons why this could be true. It could be that people have a standing desire to do what they take to be morally good, and thus that when people come to believe that something is good they will thereby come to desire it. It could also be that when people come to see something as morally good, various features of it will become salient to them that were not previously, with the result that they will immediately come to desire it directly. Or it could be that moral judgment is a kind of hybrid state – what has sometimes been called a “besire” – that is both representational of the world but also motivating. For more on this topic see Dreier (2000).

¹⁶ Enoch provides a very nice example of this. He notes that if followers of Peter Singer are correct about our moral obligations to the very poor, then most of us live morally impermissible lives, and are arguably personally responsible for literally hundreds (perhaps thousands) of deaths. Since no one wants to see herself like that, we will all be interested in seeking out ways to attempt to defuse Singer’s argument. See Singer (1972) and Enoch (2009: 26).

¹⁷ Similar points are made by David Brink (1989: 205) and Shafer-Landau (2003: 219).

it supports their case that when we think and talk about morality, our judgments are shaped by our attitudes, and we are not tracking any independent moral truths. However, the realist may respond that realism about a domain of inquiry is compatible with accepting that people often reason quite badly about questions in that domain. Indeed, it is compatible with such poor reasoning being *systematic*. The realist only requires that there are *some* ways of reasoning well within the domain, and of getting at its truths. (Of course, it may be questioned whether the moral realist can provide any such ways, and that might constitute a worry for the view, but that is not primarily a worry about *disagreement*.) The Renaissance debate between geocentric and heliocentric theorists is an illustrative example here: the fact that many people in the 17th century were led to adopt the geocentric theory for the epistemically bad, but arguably practically justifiable, reasons that doing so would prevent them from doubting their religious faith, and potentially being subject to Inquisition, does not by itself provide a good case for anti-realism about 17th century astronomy. We explain what transpired easily enough in realist terms: the Church got in the way of science's pursuit of truth. In general, when a lot hinges on the answer to a question, people will be led to ignore evidence, to weigh certain considerations inappropriately, to refuse to subject certain assumptions to proper scrutiny – in short to reason poorly – and this happens when people think about ethics too.¹⁸ And since the vast majority of the decisions that a person makes have ethical implications, the realist can allege that we are inclined to engage in rationalization constantly, on all manner of questions.

So, even if feature F_2 does set moral disagreement apart a bit from disagreement in many domains which we think of as paradigms of those demanding a realist treatment, it is not clear that the anti-realist explanation of this is really any better than the realist one.

¹⁸ Again, Enoch (2009: 26) makes essentially this same point.

4. Irresolvable Disagreement in Motivational Attitude

At this point in the dialectic, the anti-realist might try a different tack, and shift her focus to feature F_3 : the characteristic of being *rationally irresolvable*. The obvious virtue of this proposal is that it seems to block some of the main realist explanations for disagreement that we have encountered so far. For if moral disagreements do not depend on lack of empirical information, or on insufficient time and/or resources dedicated to solving certain questions, or to result from people's tendency to reason badly, then the odds may start to look very good that the anti-realist could offer a much better explanation of the disagreement than realists could – assuming now only that certain disagreements in motivational attitude are intractable, which also does not seem outrageous.¹⁹

A difficulty for taking this line, however, is that in order to know whether the argument is any good, we would need to know whether ideally rational, (non-morally) informed, imaginative, coherent, thoughtful agents (let us call such agents “ideal reasoners”) really would have moral disagreements. And since we do not have any such agents around to observe, how could we possibly go about assessing this?

Some moral realists might attempt to shut down this version of the argument right here, by insisting that there is no good evidence on which to make a judgment concerning the possibility of intractable moral disagreement, only pure speculation. Russ Shafer-Landau, for instance, suggests that the position one takes on the question of whether there are intractable moral disagreements will be determined simply by one's prior realist or anti-realist sympathies.²⁰ However, such an attitude might be too dismissive, as facts about existing disagreement may

¹⁹ Many realists have also seen this as the natural way to develop the argument (although, obviously, they are skeptical about whether it works). See for instance Shafer-Landau (2003: 221ff) and Enoch (2009: 39-45).

²⁰ Shafer-Landau (2003: 223).

constitute good evidence concerning the tractability of certain disagreements. It wouldn't, of course, be decisive evidence, but it may be enough to earn the anti-realist some significant plausibility points, and that is all she can realistically aspire to here.

So let us look at two ways that philosophers have recently tried to defend the possibility of irresolvable disagreement.

4.1 Disagreement Among Philosophers

One option for the anti-realist is to look for parties who would be among the *least* inclined to engage in epistemically irresponsible stubbornness, and who still manifest serious moral disagreement. And (with a bit of self-satisfaction) we might think that we may find this among academic philosophers. For while philosophers are still certainly far from epistemically perfect, they are probably among the more careful, critical thinkers around, and many of them spend most of their professional lives specifically thinking about ethical questions. So if moral disagreement could persist even among them, that would seem to count as some evidence for the thesis that some moral disagreement is irresolvable. Of course, we could never rule out entirely the possibility that philosophers too systematically engage in rationalizing, but, again, the anti-realist might score some significant plausibility points.

Before proceeding to investigate this possibility, however, I would like to pause for a moment to address an important objection that may arise here. Some moral realists have offered a “partners in guilt” objection to various versions of the Abductive Argument which is especially relevant to the version we are currently examining.²¹ They have noted that we find deep disagreement about all sorts of questions in all areas of philosophy, and thus contend that no abductive argument from disagreement for moral anti-realism could be plausible, because it

²¹ See especially Shafer-Landau (2003: 225).

would enormously over-generalize. It would seem to show that, for instance, there are no epistemic facts, no facts about the nature of properties, no facts about the compatibility of free will with physical determinism, and so forth. And most of us do not find such global philosophical anti-realism very plausible (although some non-philosophers certainly might).

However, this “partners in guilt” move seems to me rather like a slippery slope argument, in that it suggests that there could not be any principled reason for diagnosing moral disagreement differently from epistemic disagreement differently from metaphysical disagreement, and so on, since there is, we are supposing, roughly the same amount of all of the types among philosophers. But it is not clear that the realist/anti-realist explanations of disagreement will be equally good in all domains. For it does seem very hard to deny that our (philosophers’) moral judgments are quite intimately connected to our desires, and so the anti-realists’ claim that moral judgments are in some sense based in our desires seems like a *particularly* strong explanation of moral disagreement. But then compare potential anti-realist explanations of ongoing philosophical disagreement about whether properties are “universals” – that is, whether “the selfsame property can be instantiated by numerically distinct things.”²² It is hard to see how metaphysicians’ desires could have a great deal of impact upon their holding the competing views that they do with respect to this issue. One could, I suppose, hold that philosophers defend different views regarding the existence of universals simply for reasons of pride, or simply because their livelihood depends on keeping up the charade that there are right answers.²³ But I think involves taking a deeply and implausibly pessimistic view about academic philosophical practice, and so I do not think it is actually a very good explanation of

²² Swoyer and Orilia (2011).

²³ Interestingly, I believe Brian Leiter (whose version of the Abductive Argument I discuss below) might take this to be a good explanation, and respond to the partners in guilt move by simply embracing significant philosophical anti-realism.

the disagreement. The better anti-realist explanation is probably just that there aren't any truths about properties to access, and that when people are grasping at non-existent straws, so to speak, they wind up grasping in many different places. The crucial question is then how good this explanation is *vis-à-vis* the realist explanation that the metaphysical facts might simply be very difficult to grasp, and then comparing the relative strengths of these two explanations to the relative strengths of the realist and anti-realist explanations of moral disagreement. Obviously, this is a very complicated and difficult issue, and I am not altogether confident that the anti-realist fares comparatively better in the ethical case. But I am inclined to say that she does, in which case there is an effective reply to the partners in guilt defense. Again, it concedes that the Abductive Argument will only have some force, but that is something anyone who hopes to run the argument with any plausibility has accepted from the start.

But even if this were right, unfortunately for this version of the Abductive Argument, it still would not at all be clear that there is enough disagreement among philosophers to license an inference to anti-realism. For although much disagreement remains, there is an important sense in which philosophers as a whole seem if anything to be *more* allied in their moral judgments than the population at large. There are comparatively very few academic philosophers who think, for instance, that contraception or homosexuality is immoral, and I do not think it is a stretch to speculate that they are overwhelmingly on the left side of the political spectrum. And given that philosophers tend to be united in such judgments, the realist may utilize the move we saw earlier and insist that such convergence, especially among more dedicated and careful thinkers, is so well explained by realism that any potential advantage the anti-realist might have had in explaining certain instances of disagreement will be washed away. Finally, it may be that there are no uniquely correct answers to certain moral questions, owing to vagueness and/or

incommensurability of competing values, and perhaps these are precisely the sorts of questions that remain in dispute by philosophers.²⁴ I think it would be problematic for the realist to fall back on this explanation too often, but if philosophers are agreed on a host of clear cut cases,²⁵ then it may be quite reasonable to say that just as reasonable debates remain possible about whether a given pile of sand constitutes a heap, as this is a vague matter, it may remain possible to debate whether it is obligatory to give at least $N\%$ of one's income to charity, in a borderline case.²⁶ In light of all of this, even if we were to accept that the philosophical disagreement over many particular moral issues is irresolvable, the realist need not be terribly troubled.

Now Brian Leiter, the clearest advocate of this way of pitching the Abductive Argument, rejects this. According to Leiter, all that we need in order to draw a legitimate inference to moral anti-realism is the extremely well-known disagreement among philosophers in normative ethical theory.²⁷ For according to Leiter, classic disagreement that persists between, for instance, consequentialists and deontologists, concerning whether the only ultimate moral reason in favor

²⁴ For this suggestion, see Brink (1989: 202) and Shafer-Landau (1994).

²⁵ Richard Boyd holds that philosophers are in fact agreed on virtually all real-world cases. See Boyd (1988: 212-214)

²⁶ Why do I say that I think the realist can only get limited mileage out of this move? The answer is that I think it would count as a substantial strike against moral realism if the realist had to resort to the view that a great number of currently disputed moral issues – ones which we certainly take to have a single correct answer – did not admit of a such an answer, owing to vagueness and/or incommensurability. An attractive metaethical theory will be one that explains our overall practice of thinking about and discussing morality, and an important part of that consists of explaining the actual moral convictions we hold. One of these convictions which we hold quite strongly is that many currently debated moral issues do admit of correct answers. If it were to turn out that the moral realist must say, about a vast number of such issues, that we are simply mistaken to think that there is a single right answer, this would be revisionary to an uncomfortable extent. And although this goes far beyond the scope of this chapter (and dissertation), among the most widely heard positive arguments for moral realism is that it makes the most straightforward sense of our moral discourse, whereas competing views are highly revisionary. On my reading, this largely summarizes the positive case put forth in Shafer-Landau (2003) and in Brink (1989), for instance.

²⁷ Leiter (forthcoming).

of a course of action is that it maximizes consequences, is so much better explained by anti-realism than by realism that the anti-realist wins the debate.

In order to be as concessive to Leiter as possible, let us grant that there is a deep divide between consequentialists and deontologists, such that there are roughly equal numbers of good philosophers on both sides, and let us grant that there does not seem to be any progress toward resolving their dispute. Still, his argument is not persuasive. To begin with, disagreement at the level of the most general normative ethical theory does not entail disagreement about all principles that are probably correctly described as normative ethical principles. Virtually every philosopher agrees, for instance, that the fact that an action would cause pain to a child is a reason not to do it, that the fact that you promised a friend that you would do something is a reason for you to do it, and so on for a huge number of other general claims. So the fact that this fundamental theoretical disagreement persists does not necessarily tell in favor of anti-realism about ethical theory, as the fundamental questions are likely to be the hardest.

Moreover, even if Leiter's argument succeeded in showing that there are no facts about the correct general ethical theories, this still would not by itself entail that there are no answers to all sorts of particular moral issues, such as whether abortion is wrong. For particularists deny that there are true general moral principles, but may be moral realists all the same.

In order for his argument to go through, Leiter would seem to need differences in fundamental theory to yield either other big differences in general theory, or big differences on many particular issues, and it just isn't clear that enough such differences exist. The realist can plausibly respond that either there may be no one true fundamental normative ethical theory, but that this does not preclude all sorts of first-order moral claims from being true or false, or that many people just haven't found the right theory, but given the convergence on so many other

matters, there is most reason to believe that a correct theory exists.

4.2 An Empirical Approach

A different option for anti-realists wishing to show that irresolvable disagreement exists involves looking at concrete empirical results. An argument of this sort has recently been developed by John Doris and Alexandra Plakias. Doris and Plakias claim there is good evidence that some moral disagreements do not depend upon disagreements over any non-moral factual questions, nor do they result from any general failures of reasoning, nor from face-saving rationalization. They call these “fundamental disagreements.”²⁸ The example that Doris and Plakias investigate at greatest length concerns beliefs about the “permissibility of interpersonal violence” in reaction to perceived attacks upon one’s character, or upon the characters of one’s loved ones.²⁹ Doris and Plakias cite extensive research which establishes that American Southerners find it much more appropriate to “defend one’s honor” in such instances than do Northerners. Southerners are significantly more likely both to exhibit a charged anatomical response in reaction to such insults, and to excuse persons who have committed violent acts against others in reaction to such insults.³⁰ Doris and Plakias systematically attempt to show that

²⁸ Doris and Plakias (2008: 305). On an exegetical note, is somewhat unclear just how to categorize the metaethical view that they present in the paper. They refer to it as a “patchy realism,” but it is a bit unclear (at least to me) the *sense* in which it is “patchy.” If the view is that one should perhaps be a realist about some moral terms and an anti-realist about others, or even a realist about some *senses* of a particular moral term, and an anti-realist about other senses of that same term, then I think it is a potentially attractive view. However, if the view is that a term, when used in a particular sense, sometimes purports to refer to realistic moral facts, and some times does not, then I do not think the view is at all plausible. If, when used in a given sense, a term refers to a certain type of entity, then that is what it purports to refer to in all cases. Patchy realism might instead simply be the view that some disputes about the proper application of a moral term have genuine answers, but many do not. But if that is right then the view is not necessarily incompatible with *straightforward* realism, because of the issues mentioned in the previous section concerning vagueness and incommensurability.

²⁹ Ibid: 319.

³⁰ Ibid: 316-319.

this disagreement is not plausibly due to disagreement about non-moral facts, self-interested bias, general irrationality, or disagreement over background moral theory, and thus is, in their sense, fundamental.³¹

But despite Doris and Plakias' efforts, realists may dispute the details even of this single case. For instance, they may note that it is not as though average Northerners or Southerners are close to being ideal reasoners, and the attitudes of one or both groups toward defending one's honor might change dramatically as a result of becoming more ideal reasoners. For instance, it may not be outrageous to speculate that if Southerners had access to comprehensive data concerning the overall flourishing of persons in societies that observe cultures of violence, and in those that do not, and if they considered those data impartially, they might change their minds about the importance of defending one's honor. While there might be something deeply satisfying to many people about being able to respond to unjustified insults with force, it may well be detrimental to society as a whole to condone such violence, and that may be a good reason to think that the Northerners' view is ultimately correct.³² This is speculation, but of course the proposal that the existence of fundamental disagreement strongly supports the existence of intractable disagreement is likewise speculative.

And even if we grant that the disagreement Doris and Plakias discuss is truly fundamental, a bigger problem remains. This is that disagreement might be "fundamental" in their sense, without being *irresolvable* among ideal reasoners, in the sense that the disagreement

³¹ Ibid: 321.

³² Note that, of course, a similar move may be made in response to efforts to establish that fundamental disagreement exists by appealing to philosophical disagreement, as we examined in the previous subsection. Philosophers too are not perfect reasoners, and may lack all sorts of experiences which might lead to them changing some of the views they hold. I did not mention this issue there primarily because I was trying to be extremely concessive to that way of formulating the argument.

would persist forever. For an important but easily overlooked possibility is that agents who are more epistemically ideal than ourselves might, upon discovering themselves to be in a moral disagreement attributable neither to non-moral disagreement, bias, nor general irrationality, *abandon their views* about the disputed issue.³³ This realist response gains much support from recent work in epistemology, and it is the task of chapter four of this dissertation to consider it in detail. But, to preview, it is now widely agreed that disagreement with a so-called “epistemic peer” – someone whom, prior to disagreement, one would have considered as likely as oneself to be right should disagreement arise – is generally an important source of evidence against one’s disputed belief, and in many cases may undermine it entirely.³⁴ If this is a genuine epistemic norm, and if we make the reasonable assumption that ideal reasoners would observe such a norm, then the realist has a strong case that Doris and Plakias’ fundamental disagreement might be resolved by ideal reasoners through a mutual agreement to suspend judgment; they might agree to stop disagreeing, as it were.

And finally, of course, even if Doris and Plakias’ fundamental disagreement *is* an irresolvable disagreement, we obviously face the problem that we have only a single example here, and that in order for the version of the abductive argument which appeals to F_3 to have much force, there will have to be at least a fairly large amount of such intractable disagreement. Perhaps if we have indeed successfully located one such case, this provides good reason to think that there will be others, and it is plausible that enough disagreement of *this* sort would make a much stronger case for anti-realism than merely widespread disagreement, or widespread disagreement involving disagreement motivational attitude. But the work must still be done to

³³ Again, this point could also be leveled with some effect against the version of the argument appealing to philosophical disagreement. See previous footnote.

³⁴ See chapter four below, and the references therein.

show that there are enough such disagreements, and it is not even certain at this point that we have located one. Thus this version of the argument also seems insufficient.

5. Conclusion: What We Would Need to Make the Argument Work

The results of this chapter have for the most part been negative. It looks like there is not enough total moral disagreement (of all sorts) to lend much support to moral anti-realism, because the realist can also offer good explanations of why there would be as much moral disagreement as there is, and because anti-realist explanations of the disagreement will have to compete with realist explanations of the observed convergence. And there may not be enough special disagreement to lend much support to moral anti-realism either, because even if the anti-realist can explain a few cases better in a vacuum, it is not clear how powerful this is unless we know how many cases there are, and the realist here may have distinct advance in explaining convergence if there are not that many such cases. I suppose we could still say that certain anti-realist explanations of either total or special disagreement would, in a vacuum, secure some plausibility points, but those plausibility points are not interesting if they are immediately equaled by plausibility points earned by the realist in explaining agreement. This is not to say, to reiterate, that plausibility points secured by moral anti-realism are uninteresting compared to plausibility points earned by realism in *other areas* of metaethical inquiry. But no interesting points are going to be won for disagreement if they are not substantial compared to points won for realism in virtue of *lack of disagreement*.

None of this is to say that a good Abductive Argument along the lines considered in this chapter could not be given, even given actual moral disagreement, and it is certainly not to say that a good Abductive Argument could not be given if there were much more moral

disagreement than there in fact is. If the world were such that even people who thought very hard about ethical questions arrived at wildly different conclusions about what would be right or wrong in all sorts of cases, I think that there would be a strong case for moral anti-realism in that world. Of course the realist *could* explain how that could transpire, consistent with her realism, but I think that a metaethically neutral observer would find the anti-realist explanation much better. And the argument might even be good in our world. But we will have to look very carefully at just how much disagreement there is, about what issues, and we will have to go into further detail with respect to how much of it is plausibly explained by rationalizing or other such general epistemic defects.³⁵ And these are very difficult matters which I do not know how to do more than speculate vaguely about.

Thus, the anti-realist might hope to make progress in a different way, by taking a different sort of phenomena of moral disagreement as the relevant data to be explained by a good Abductive Argument. This is what I will ultimately do in chapter five. But first work is needed to see what that data is, and why I think it exists. It is to that issue which I turn in the following two chapters.

³⁵ Again, it *could* be explained by peculiarly moral epistemic defects too – but if the moral realist has to say that in a wide variety of cases, that costs her plausibility points.

Chapter 3: The Epistemic Argument

A fundamentally different sort of argument from moral disagreement does not take the form of an inference to the best explanation. Rather, it appeals to an epistemic principle to the effect that some kinds of disagreement undermine people's justification for their beliefs. It applies that principle to actual or possible instances of moral disagreement, and concludes that many, most, or perhaps even all of our moral judgments, if they are non-indexical beliefs, are unjustified. Now this is not in and of itself an argument against moral realism, since it is open to the realist simply to accept that, unfortunately, moral skepticism is forced upon us. However, some anti-realist advocates of this Epistemic Argument from disagreement insist that the degree of moral skepticism which would be forced upon us, if our moral judgments were non-indexical beliefs, is wildly implausible. Thus they conclude that moral realism is quite implausible.

Here is the basic form of this Epistemic Argument:

- 1) There is amount *A* of actual or possible disagreement with persons of epistemic credentials *E*, over range *R* of moral questions.
- 2) In the face of this actual disagreement, or in light of the possibility of this disagreement, one is epistemically required to suspend judgment about matters within *R* – that is, to be a skeptic about moral questions within *R*.
- 3) It is extremely implausible that we are epistemically required to be skeptics about questions within *R*.
- 4) Thus, moral realism is extremely implausible.

In this chapter, I will consider several versions of the Epistemic Argument, which differ with respect to how much disagreement they posit there to be, and how much they posit we must adjust our moral judgments in the face of that disagreement, assuming our moral judgments are

non-indexical beliefs. Although I believe that some of these have a limited amount of force against moral realism, these arguments generally suffer from three main interrelated problems. The first is that it is far from clear whether the amount or type of disagreement which needs to obtain, or at least to be possible, in order make certain versions of the argument sound in fact does obtain, or is possible. The second is that some versions of the argument seem to rely on dubious principles concerning the degree to which people are required to suspend judgment about moral questions in the face of disagreement about them. In particular, some versions seem to assume that people who share roughly the same *non-moral* information and are roughly equally good at *non-moral* reasoning are epistemically required to take themselves to be roughly equally good judges of the *moral* truths, yet a moral realist may have grounds for denying this. The third and final problem is that the existing arguments which maintain that moral skepticism is extremely implausible have not satisfactorily explained just *why* this is.

Unlike I did when discussing the Abductive Argument in the previous chapter, I will not begin with a comparatively weak version of the Epistemic Argument and work up to stronger and stronger versions. Rather I will begin with the strongest version, because it is more plausible that the amount of skepticism called for by this version is indeed highly problematic for the moral realist, whereas it is far from clear that the amount of skepticism called for by weaker versions is a problem for the realist.

1. Strongest Version: Merely Possible Disagreement Entails Moral Skepticism

According to a very strong version of the Epistemic Argument, the range *R* of moral questions over which there is the right kind of disagreement to require moral skepticism is *all* moral questions. That is because the strongest version of the argument maintains that it is clearly

possible for people who share all non-moral information, are perfectly rational, and are perfectly good reasoners, to disagree about any moral question, and that this fact requires us to withhold judgment about all moral questions.¹

This version of the argument has three important virtues. The first is that it does not seem to require any empirical premises, and thus its premise concerning how much disagreement obtains is not subject to being empirically undermined, nor does it hinge upon a potentially debatable interpretation of empirical findings. The second is that since it purports to show that the moral realist must accept total moral skepticism, it is quite clear that this is indeed quite a counterintuitive result. Indeed, even if no further explanation of why this is implausible is on offer, this seems like a very high cost, and the kind of thing which would lose many plausibility points for moral realism. The third virtue is that it purports to show that our moral judgments, if they are non-indexical beliefs, would have their justification *entirely* undermined by disagreement, not merely weakened to some extent. The reason for this is that if it is possible for two people to be *identical* in the non-moral beliefs which they hold, and in the justification-conferring status of whatever reasoning each employs to arrive at her moral views, and yet for them to disagree, then it does seem plausible that neither could be justified in holding the view that she does. For, each of them, by her own lights, must hold that someone could have reasoned from the same starting points, *via* equally justified methods, and arrived at a different conclusion. And surely any reasonable theory of justification will hold that one cannot be justified in holding a view which could be disputed in such a fashion.

However, there are two big problems with this version of the argument. The first is that it must be argued that the sort of disagreement which the argument alleges to be possible *really*

¹ This argument is discussed in the most detail by William Tolhurst (1987).

is possible. The second is that, despite initial appearances, even if such disagreement *were* possible, moral skepticism would *not* automatically follow, for it would need to be shown why one could not be justified in taking oneself to be a better judge of the *moral* truths – even if not of the relevant *non-moral* truths – than others. I discuss these issues in turn.

1.1 Possibility of Radical Moral Disagreement

Many people seem to think that it is simply *obviously* true that it is possible for there to be fully reasonable people who dispute any moral view, regardless of their level of non-moral knowledge. To hold such a view is to essentially to agree with David Hume’s famous assertion that one cannot derive an “ought” from an “is,”² or with the intuition behind G.E. Moore’s (in)famous “Open Question Argument,”³ according to which “moral goodness” cannot be identical to any non-moral property, because it is always possible to doubt whether a proposed non-moral (or “natural”) property really is the very same thing as moral goodness.

But while this thought has historically enjoyed considerable intuitive appeal, there are also intuitive considerations that tell against it. For it also seems plausible that at least *some* suitably general moral truths are just conceptual truths, such that someone who does not accept them indeed fails to grasp moral concepts.⁴ Consider for instance the claim that pain is *prima facie* bad, or the claim that the fact that some action would dramatically decrease some individual’s well-being without affecting anyone else’s counts heavily against performing it. Such claims strike us as so obvious and unobjectionable that we might wonder whether someone who denied them really had a grasp of what morality is. It is thus far from clear why the thesis that even they are subject to possible disagreement by reasonable people with all relevant non-

² Hume (1739/1978: 469-470).

³ Moore (1903: 16-17).

⁴ A view advanced, for instance, by Foot (1978: Ch. 7-8).

moral information is more plausible than the thesis that they are conceptual truths. Granted, such general claims by themselves may entail very few or even no dictates concerning how to behave in concrete situations. But the extreme version of the Epistemic Argument that we are now considering holds that *no* moral truths are such that reasonable people who share all non-moral information must converge on them. So if this fails to be true of any substantive moral claims *at all*, then the first premise of this version of the argument will not be met.⁵

What, then, is the argument for the conclusion that radical disagreement really is possible? There are three things I can think of which the defender of this extreme version of the Epistemic Argument might say.

The first is that we must allow it to be possible for even ideally informed, ideally rational agents to disagree about any moral claim, because we lack conclusive reason for ruling this out.

⁵ Does this mean that these truths would have to be “analytic” rather than “synthetic”? I am not sure what to say about this, since I honestly am unsure what exactly the difference between an analytic and a synthetic truth is supposed to be. I take it analytic truths are supposed to be truths that hold in virtue of the meanings of the words involved. And in virtue of this many philosophers seem to suspect that analytic truths expressible in a language would have to be obvious to all competent speakers of that language. But what all is involved in fully understanding the meanings of words? It is not implausible that it involves understanding the concepts expressed by those words, and I do not see why there could not be important and highly non-obvious conceptual connections between the concepts expressed by different words. If so, then it seems to me that highly non-obvious truths, which might not be apparent to speakers with a basic grasp of the meanings of the words, could plausibly be analytic (more on this below). What is more, even though there is an important sense in which such truths would plausibly be accessible to everyone – in that it may be true of every individual that, if she were to think about matters hard enough and in the right way, she would be able to see that the truths obtain – it certainly will not automatically follow that all (minimally) “reasonable” people will actually be able to grasp all of the analytic truths. Some of them may just be too subtle or too complex for some people to be able to grasp them, given their cognitive limitations. Indeed, some may be such that *no* actual agents can grasp them.

In any case, whatever a synthetic *a priori* truth might be that distinguishes it from an analytic one, I do not see why such a truth couldn’t also be the sort of thing which is in the relevant sense accessible to everyone. And so I do not think it matters to this version of the Epistemic Argument (or any other, for that matter) whether the truths are analytic or synthetic. What matters is whether they are such that fully reasonable people who share the same non-moral information could disagree about them, and so that is the question I will focus on.

That is, we should assume a principle to the effect that if we don't have good reason for thinking that something *isn't* possible, we should assume that it is.⁶ But opponents of this version of the Epistemic Argument may respond that, at most, we should take such a principle to be a guide in determining what is *epistemically possible* – that is to say, possible as far as one can presently tell – not what is *actually possible* – that is, could in fact obtain. For instance, someone might judge that from our current limited viewpoint, it is epistemically possible that the God of the Judeo-Christian conception exists, but that it is also epistemically possible that this God does not exist. This person would thus believe that agnosticism is a coherent and reasonable attitude to hold. But such a person might also coherently believe, I take it, that if God does exist, God exists necessarily. Combining these thoughts, the person we are imagining would be committed to saying that God's existence is epistemically possible, but might or might not be metaphysically possible (although I'm not sure if "metaphysical" is the right modality here – perhaps something stronger is). And such a view certainly strikes me as potentially reasonable. Relatedly, some philosophers have noted, in reacting to certain thought experiments in the philosophy of mind which purport to support certain dualist views – experiments such as cases involving "inverted spectra" – conceivability does not imply genuine possibility: just because I think I can *imagine* someone like me who, for every color that I see, sees a color opposite it on the color wheel, does not entail that such a being represents a real nomic possibility.⁷ And, again, such a thought seems eminently reasonable.

⁶ Such a thought appears in Tolhurst's discussion of the extreme version of the argument, as he writes that the argument "does not require any empirical premises concerning the nature and extent of actual disagreement, only the assumption that a certain sort of disagreement is ubiquitously possible" (1987: 610).

⁷ For extensive discussion of issues arising from thought experiments with inverted spectra, and for difficulties arising from moves between different modalities, see Byrne (2010).

In the ethical case, the typical thought advanced by proponents of the Humean/Moorean intuition seems to be that it must be conceptually coherent to disagree with any moral claim at all, because it just doesn't seem like anyone *must* be making a conceptual error in doing so. But the opponent of the extreme version of the Empirical Argument will simply maintain that the fact that it might be epistemically possible – so far as we can tell now – for two individuals who share all non-moral information to disagree over certain moral questions does not mean that this is *really* a conceptual possibility. And given how obvious and unobjectionable certain general moral claims seem to be, I see no reason to think that the defender of the possibility of disagreement enjoys any advantage here at all.

Now the advocate of the argument might respond that, actually, epistemic possibility is all that is needed to make the argument run. That is, the advocate might argue that the epistemic possibility of disagreement is all that is needed to get the skeptical conclusion. But it is important to see that this is incorrect. As I explained a moment ago when discussing the virtues of this extreme version of the Epistemic Argument, one's moral views – assuming they are non-indexical beliefs – would be undermined by disagreement if there could be another person who was identical in all respects relevant to epistemic justification who could hold a differing view. But here it must be meant, if there could *in fact* be such a person. The fact that there might *merely so far as one can tell* be such a person cannot by itself ground the move to moral skepticism. For it is certainly not incoherent to think that one's evidence *E* with respect to some question *q* supports a particular belief *b*, and to justifiably believe *b* on this basis, and yet to think that one *could* be wrong about whether *E* supports *b* rather than not-*b*. This is just basic fallibilism, and anyone who denies that is not only committed to nearly total skepticism (about nearly everything), but thinks that we cannot even be justified in holding beliefs about almost

anything. I don't know how to refute such a skeptic, but certainly there won't be anything unusual about morality from the point of view of this kind of skeptic as compared to almost any other domain of inquiry, including the most paradigmatically realist ones, such as science. Thus, attempts to motivate the extreme version of the Epistemic Argument by appeal to the mere apparent possibility of radical moral disagreement are nonstarters. We need an additional reason to think that such disagreement really is possible.

The second argument in favor of the possibility of radical moral disagreement has to do with the *purpose* of using moral discourse. This sort of argument has been developed most fully by Simon Blackburn. In his "Supervenience Argument" against moral realism, Blackburn alleges that it is a "conceptual constraint on moralizing" that one acknowledge a supervenience principle. That is, one must accept that *if* there is something in our world that has a certain set of non-moral properties, and also has a certain moral property, then anything else in our world with that same set of non-moral properties must have that same moral property. *Why* is this a conceptual constraint? Because, according to Blackburn, "the whole purpose for which we moralise...is to choose, commend, rank, approve, forbid, things on the basis of their natural properties."⁸ But should the same not hold for certain substantive moral judgments? No, according to Blackburn. He says that it would be "most unwise" to say that the instantiation of certain non-moral properties conceptually necessitates the co-instantiation of a certain moral property, because "[P]eople can moralise in obedience to the conceptual constraints that govern all moralising, although they adopt different standards."⁹

I have to confess that I am not sure exactly how to read this allegation, but I think that the best way to understand Blackburn is in tandem with certain views he presents elsewhere

⁸ Blackburn (1988: 66).

⁹ Ibid.

concerning interpretation.¹⁰ Blackburn, like many philosophers in the tradition of Donald Davidson, believes that what states of mind an agent has depends in some constitutive sense upon what overall set of states of mind we could attribute to that agent in order to make her observed behavior appear as rational as possible. So, in the case of moral judgments, he seems to be saying that we just can't interpret you as making *bona fide* moral judgments if you don't abide a supervenience constraint; we have to think you're just "playing a different game," as it were, because you're flouting the whole *point* of moralizing. It is like our refusal to accept that a person is even playing chess who insists on moving his bishop horizontally once in a while if he feels like it. On the other hand, Blackburn thinks that agents with corrupt moral standards are indeed interpretable as playing the "moralizing game," if you will. It's just that we think that they have *bad standards*. Thus, there is perhaps some legitimate conceptual space between the acceptance of the supervenience constraint, and acceptance of a particular moral standard, which is *not* forced upon us by semantic facts about what moral terms mean.

But this line of thought is also highly question-begging. For even if Blackburn is right that observance of a supervenience constraint is in some way *more basic* than observance of particular moral standards, this clearly does not entail that no such standards could be such that all fully reasonable agents sharing the same non-moral information would accept them. For comparison, the best way to interpret the actions of a non-mathematician, in certain circumstances, could very well be to interpret him as holding that the function $f(x) = \tan x$ is a one-to-one function. But that doesn't change the fact that it is *not* a one-to-one function, and that – if certain views in the philosophy of mathematics are correct – this might be an *a priori* truth which cannot be denied by a fully reasonable agent. The lesson is that although all *a priori*

¹⁰ Blackburn (1998: 51-59).

truths may be on the same epistemic footing in *one* sense, in that they are all accessible through reason alone (or something along those lines), different *a priori* truths may be on very different footing in terms of how easy they are grasp. As neo-Moorean moral realists such as Robert Audi and Russ Shafer-Landau have repeatedly emphasized, some truths may be downright self-evident, and yet highly non-obvious (at least to some people).¹¹ So the fact that it *seems* to us coherent to deny that any particular natural state of affairs necessitates a moral state of affairs, does not mean that it *really is*. We simply don't know what moral judgments people would hold if they really were ideal non-moral reasoners, because no actually existing person is such a reasoner (or for that matter probably ever will be). Another way of putting this point would be to say that although if moral truths are *a priori*, it will be *a priori that they are a priori*, that doesn't mean we know whether they are.

The third and final reason I can see for insisting upon the legitimate possibility of radical moral disagreement, even between reasonable and non-morally fully informed persons, is on the basis of the widely held view that sentiments or emotions play an important, perhaps even ineliminable, role in moral thinking. Philosophers of a wide variety of metaethical inclinations, including many moral realists, agree that part of what justifies many of our moral judgments is certain emotional reactions that we have, either when experiencing certain actual cases or when vividly imagining certain hypothetical ones.¹² If this is so, it might be thought to support the possibility of disagreement since different individuals with different emotional profiles might arrive at different moral judgments, and neither would have a non-question-begging case for why her own judgment was the justified one.

¹¹ Audi (1997), Shafer-Landau (2003: Ch. 11).

¹² This seems to be the view, for instance, of Ralph Wedgwood. See Wedgwood (2007: Ch. 10).

Now some moral realists would just deny that the emotions are relevant to the making of moral judgments in the way suggested. But even if this thesis is accepted, it still is not enough to make the first premise of the extreme version of the Epistemic Argument plausible. For one thing, even if it is true that the emotions are involved in some intimate way in the making of moral judgments, this does not even rule out the possibility that moral judgments are purely *a priori*. This is because, as Sarah McGrath has recently cleverly pointed out, certain kinds of experience may be necessary to “trigger” certain moral judgments, although those experiences would not be what would *evidentially justify* our holding those judgments, after we have made them. As an example, she considers a case in which a person comes to believe that a certain form of punishment is morally impermissible on the basis of witnessing it used against someone. She notes that without having the experience of witnessing the punishment, the person might never come to hold the moral view that he does about its morality. However, that does not entail that the resultant moral judgment would cease to be justified if it turned out that the experience were merely imagined, or dreamt about. And this is significant because *a posteriori* empirical judgments are not like that. For instance, if I merely imagined that the meter at which I parked my car was out of service, and recognized later that I had merely imagined it, then I would not be justified in assuming that I won’t get a ticket. But even if I merely imagined an experience which convinced me that torture is always wrong, I might nonetheless be justified in holding it to be wrong on that basis.¹³

But moreover, if emotions are indeed (epistemically or otherwise) relevant to our making the moral judgments that we do, and if emotions do provide us with *some* information – even if that information is not that *on the basis of which* we make moral judgments – then two people

¹³ McGrath (2011).

who diverge in moral judgments because they have different sensibilities would seem *not* to be identical with respect to their non-moral information. That is, each may have information – specifically, information about how his or her sentiments have been impacted by a given input – that the other will lack.

In the end, then, I do not see anything close to sufficient reason to hold that the kind of disagreement needed for the first premise of the extreme version of the Epistemic Argument to be persuasive is any more plausible than the thought that certain moral truths are, even if non-obvious to many people, conceptual truths which no reasonable and non-morally informed agent could deny.

1.2 Specifically Moral Justification

In summarizing the virtues of this extreme version of the Epistemic Argument earlier, I noted that the mere possibility of moral disagreement would be sufficient to render moral judgments – assuming they are non-indexical beliefs – unjustified *if* it were true that persons who shared all non-moral information and who engaged in reasoning which was identical in its justification-conferring status could disagree in all their moral judgments. And one might initially think that any chain of ideal non-moral reasoning from the same non-moral information would have to be identical in its justification-conferring status, and thus that, if the disagreement were indeed possible, that the argument would go through.

However, this is not plausible. For it assumes that no one could ever be justified in holding a moral judgment on the basis of a purely *moral* intuition, or on the basis of specifically *moral* reasoning, so long as someone else identical in all non-moral respects might fail to make that judgment. But why should the realist accept that? Why, that is, should she allow that no person could be justified in employing distinctly moral belief-forming processes? William

Tolhurst puts this point nicely when he suggests that the moral realist should say that just as there are colorblind persons, there may be the “morally sighted” and the “morally blind.”¹⁴ We do not deny, after all, that some people may be justified in holding certain color judgments on the basis of certain visual experiences, and this despite the fact some others may not share their justification as they may lack the relevant experiences. So why should things be different in the case of ethics?

Now one thing that the advocate of the extreme version of the Epistemic Argument will likely want to say here is that there is an important difference between the case of color perception and the recognition of ethical truths. For in the case of color perception, we have *independent* grounds for holding that some people’s ability to detect the facts really is deficient when compared to others, whereas in ethics we arguably do not. More specifically, we have a suitably sophisticated understanding of the human visual system that we may often locate exactly what physical deficit is responsible for failure to perceive color in colorblind individuals, and, importantly, we can reasonably expect that even the colorblind person herself will agree that, were she not to have the deficit, she would very likely make the same color judgments as others. This is arguably a major reason why it seems appropriate to identify colorblind people as legitimately *colorblind* rather than simply as “*colordifferent*” (or whatever).

And plausibly the situation in ethics is not analogous on this score. To begin with, we do not have the same sort of idea of precisely which part of the brain and which mental faculties might be responsible for the ascertaining of any moral facts that there are, such that by identifying people with appropriate cognitive deficits we would thereby identify people who make moral judgments that systematically differ from those made by people who do not have

¹⁴ Tolhurst (1987: 617).

such deficits. It may be true that people with certain kinds of *emotional* deficits – in particular, antisocial persons who, to varying degrees, lack empathy for others – tend more often to *act* in ways which most people take to be morally wrong. But, a cottage industry has sprung up in recent years concerning the question of whether such people nonetheless make largely the same moral *judgments* that others do. And there is a case to be made that in large part they do, they simply do not *care* about morality in the way most people do.¹⁵ Advocates of this interpretation emphasize certain studies suggesting that whatever deficits they may suffer from, even psychopaths need not suffer from any *rational* deficits.

The problem for the proponent of the Epistemic Argument here is that even if all of this is true, it does not follow from the fact that we are unable to say *what it is* in virtue of which some people are “morally sighted” and others “morally blind” that one could not be justified in believing that some persons are morally sighted while others are morally blind. We will examine these issues in more detail in the following two chapters, but the basic reason for this is as follows: Certain basic belief-forming processes must simply *be* justified, in the sense that we must be able to employ them in forming justified beliefs, without being able to independently confirm this fact about them.¹⁶ It may be true that such processes, in order to be justified, must not be such that they give us positive reason to *doubt* their reliability – for example, perhaps any candidate for a basic justified belief-forming process must be such that it does not regularly produce inconsistent beliefs, or beliefs which are at odds with those generated by other basic belief-forming processes. But what we cannot require is positive reason – aside from the

¹⁵ For a paradigm statement of such a view, see Nichols (2002). Noncognitivist anti-realists typically diagnose such people as holding moral judgments only in a “parasitic” way; that is, they engage in a form of behavior that only makes sense against the backdrop of people who do care about the things that they judge to be right or wrong. For more see Lenman (1999).

¹⁶ Enoch and Schechter (2008).

plausibility (to us) of the beliefs formed by the processes themselves – to *trust* them. If we did have to have such reasons, an infinite regress would obviously prevent us from being able to form any justified beliefs at all, for before we could rely on any process, we’d have to have a reason to trust it, but then whatever process we proposed to use in assessing the first would have to *itself* be independently justified, and so on.

Now it may be true of certain belief-forming processes that, assuming they are reliable sources of truth, they provide us with information which ultimately appears to vindicate those very belief-forming processes themselves. For instance, the scientific knowledge that we acquire through the use of our senses – assuming we do acquire such knowledge – has over time led us to formulate an evolutionary theory about why our senses should have developed to be reliable, as well as to understand the mechanisms by which the particular sensory modalities work. But nonetheless such a vindicating story *still* requires that we take our basic sensory beliefs as justified, because if they weren’t, then the entire story would be viciously circular.¹⁷ And we do not have and so far as I can tell *could not* have any further story about why believing something on the basis of sensory perception is justified – it just is.

¹⁷ Advocates of “coherentist” theories of epistemic justification might maintain that such a story would *not* be viciously circular, and *would* provide positive reason to believe that basic sensory belief-forming processes are reliable, because even if every part of the story relies for its justification on another part of the story, the fact that all the parts of the story taken together form a coherent set is *itself* a reason to believe the whole story. I confess that I am not sure what to say about this, although I do not find coherentism especially plausible. One question to ask concerns the status of the coherentist norm itself: is this something which we believe merely because it coheres with other things we believe, or is it the output of a belief-forming process that need not be further justified? If the latter, then my overall point still stands, I think, that certain basic belief-forming processes simply are or are not justified, period. If the former, then we must ask whether there could be a coherent set of beliefs that rejected the coherentist norm. It seems to me that there could as, for instance, a foundationalist might have a very coherent set of beliefs, but would reject the claim that they are justified *because* of their coherence.

Why, then, could a similar thing could not be true of the formation of ethical beliefs? It might be that we do not yet know just how our justified moral beliefs are formed. But *whatever* one's basic moral belief-forming mechanisms are, if they are justified, then one may be entitled to rely on them, without having to vindicate them first. It is true that it would not be plausible to say that a particular individual whose moral belief-forming processes produce all manner of blatantly contradictory judgments would be justified in holding onto those judgments. But *if* an individual lacks positive reason to be dubious of her moral belief-forming processes, and *if* those processes are reliable – which is to say, if she is among the “morally sighted,” and lacks any particular reason for doubting that she is – then why should she not be justified in holding her views?

At this point, advocates of the Epistemic Argument may respond that there is the following crucial difference between the moral belief-forming case and the case of forming beliefs on the basis of sensory perceptions: moral beliefs are subject to disagreement in a way that casts doubt on them in a way that basic perceptual beliefs aren't. But although I think that something like this is correct, there are two problems with this move. The first is that, as I discussed at length in the previous subsection, it is not clear that disagreement about all substantive moral claims really is possible. And even about many more particular moral claims, there is significant agreement, at least among informed people who have carefully thought the matter through. So in order to make this charge stick, we will probably have to look at just how much disagreement there is, over just which issues, which is precisely *not* what the extreme version of the Epistemic Argument does.

Secondly, there may be other domains in which we are entitled to hold onto our judgments simply because they strike us as true, even though other people may disagree with us.

For example, suppose that you and I meet for the first time and sit down to talk about metaethics. I proceed to argue for a metaethical view which strikes you as clearly mistaken on the basis of various philosophical considerations which strike you as obviously foolish. In light of this, you are surprised to find that I seem to be quite well informed on any relevant empirical facts, and to be about as well read as you are in the metaethical literature. Now it does not seem to me that you would be required in such a case to abandon your metaethical views, concluding that since my metaethical belief-forming processes differ from yours, yours cannot be reliable and/or justified. For why should you not instead be able to take the fact that I hold such bizarre views as reason to think that my philosophical belief-forming processes are *unreliable*? This is no doubt a thorny issue, and what exactly one should do in such a case will depend on several factors, and I attempt to address this issue directly in the following chapter. But for now I simply wish to note that *even if* certain belief-forming processes that an individual employs produce beliefs which are disputed by others, it does not automatically follow that one has been given any good reason to doubt one's own beliefs, rather than the belief-forming processes of one's disputant(s).

In all, then, we can see that the extreme version of the Epistemic Argument is highly question-begging. For one, we do not yet have a good argument that moral beliefs cannot be *a priori* or conceptual truths, such that disagreement about some of them simply is not possible among non-morally informed, reasonable people. And for another, we do not have a good argument that even if such disagreement could obtain, one's justification for one's moral beliefs would be undermined, for there might be a "moral sense" which provides some people but not others with distinctly moral epistemic justification.

2. More Moderate Versions: Looking at Actual Deep Disagreements

Clearly, then, the advocate of the Epistemic Argument will need to take a different tack. Another way to fill in the argument would be to say that there is enough *actual* “deep” moral disagreement that an implausible degree of moral skepticism is still forced upon us. What is meant by “deep” disagreement here may vary from one version of this argument to another, but at least two different types of disagreement might be thought to be sufficiently fundamental as to demand an unacceptable degree of moral skepticism. The first sort would be disagreement over some of our most settled, most central particular moral judgments, such as that it is wrong to cause wanton suffering to others merely in order to demonstrate one’s own power. The second sort would be disagreement over the foundational moral principles which purport to explain why various particular actions are right or wrong.

I will discuss these two versions of the argument in turn. What we will find, for both versions, is that even if the sort of disagreement postulated by either version of the argument exists, it is not of the right sort, or the right amount, to plausibly require an outrageous degree of moral skepticism. Thus, these arguments too are unpersuasive.

2.1 Bennigson on Irresolvable Intercultural Disagreement

Thomas Bennigson contends that actual intercultural moral disagreements are sufficient to render even our most basic particular moral judgments unjustified. He holds that there are other cultures, such as the Yanomamo tribal culture of Brazil and Venezuela, in which it is accepted that it is sometimes morally good to perform acts of wanton cruelty in order to demonstrate one’s strength. Putative examples of this include savagely beating one’s spouse, or killing members of other tribes.¹⁸ Now Bennigson accepts many of the points I emphasized in

¹⁸ Bennigson (1996: 412).

the previous section, in that he believes that the mere *conceivability* of certain types of disagreements would not be sufficient to undermine our knowledge of moral truths. But he does think that if there are other groups which have systematically different basic moral intuitions than we do, and if we are not able to provide a non-question-begging argument for the correctness of our own intuitions – that is, an argument that does not appeal to those very intuitions – then our moral beliefs do not amount to knowledge. He adds that, for extremely central judgments like the one that it is wrong to engage in wanton cruelty for the purpose of demonstrating one’s strength, we intuitively believe that any truths about such judgments simply *couldn’t* be unknowable. In particular, Bennigson holds that, even if we are not skeptics, we can make sense of the thought that we could be brains-in-vats (or deceived by a Cartesian “malicious deceiver,” or whatever) and that all or virtually all of our beliefs about the external world are false, but we cannot make sense of a similar thought concerning our most basic ethical beliefs.¹⁹ We share the intuition, Bennigson thinks, that if it follows from moral realism (together with plausible views on the epistemology of disagreement) that such claims are unknowable, then this is an enormous cost for realism.²⁰

An initial worry for this argument is that we would need to hear more concerning why our intuition that most basic moral truths could not be unknowable does not simply *derive from* our conviction that our particular views with respect to those questions are (non-indexically) true. Obviously, the intuition cannot feature as a premise in a convincing argument for an anti-realist conclusion if its plausibility hinges on the truth of realism. But let us suppose that the

¹⁹ He writes, “I do not think that we can make sense of the possibility that our belief in the wrongness of torture, or wife-shooting, or treacherous attacks, is just an error induced by... manipulation. Likewise, although I (perhaps) can suppose that I might only be dreaming or hallucinating the desk in front of me, I cannot suppose that I might only be dreaming or hallucinating the wrongness of torture.” (Ibid: 422).

²⁰ Ibid: 413.

premise's plausibility does not depend on realism's truth. Another initial worry is that it is not entirely clear that Bennigson is entitled to conclude that moral truths are unknowable even if we grant that the coherent yet bizarre moral intuitions of the Yanomamo serve to undermine *our* moral knowledge. For since he allows that actual disagreement is important to his argument, then plausibly we could still have had moral knowledge in a world where there were no Yanomamo people to encounter, in which case I take it moral truths would be unknown *to us* (in the actual world), but not *unknowable*. Whether this is significant depends on whether the important intuition which, according to Bennigson, we would share upon due consideration is that moral skepticism (period) is grossly implausible or that *necessary* moral skepticism is. But let us assume that it is the first and set this aside as well.

Still, there are two substantive concerns for this argument. The first is that the realist may reasonably reject the epistemic principle according to which one always must be able to provide a non-question-begging argument in favor of a belief or set of beliefs one holds within a given domain in order to be justified in maintaining that belief or beliefs in the face of a disputant or disputants with systematically differing beliefs. This is because the principle may sometimes command us to give up beliefs in which we are more confident than we are in the principle itself, and if so, we should reject the principle. The second is that even supposing that disagreement with the Yanomamo *did* to some extent reduce our justification for our moral beliefs, the vast number of other persons with whom we *agree* is plausibly sufficient to outweigh the disagreement evidence and to entitle us to maintain our basic moral judgments. I discuss these two issues in turn.

2.1.1 *Non-Question-Begging Justification*

According to Bennigson, what is important about the case of the Yanomamo is that the content of their moral intuitions has essentially no overlap with the content of ours, and that we could not provide an argument for why our moral system is superior to theirs that does not simply assume that our system is correct. But compare the following case. Suppose that a group of philosophers were to go on an excursion in a foreign land and encounter a group of locals which, somehow, they were able to engage in a conversation about metaphysics. Suppose further that the philosophers found that the locals had *entirely* divergent intuitions about what sorts of things exist. And suppose finally that the locals' intuitions seemed to the philosophers to be reasonably coherent. Would it follow that the philosophers would be required to decide that none of their metaphysical beliefs could amount to knowledge?

It seems to me almost certainly not. For one thing, philosophers may justifiably suspect that they have thought about metaphysical questions much longer, harder, and with more relevant considerations in mind than the locals have. The fact that the locals' intuitions *seem* relatively coherent upon first examination does not show that they actually are as coherent as the philosophers' intuitions, and it does not show that the locals would maintain those intuitions upon thinking the matter through with as much care as the philosophers did. Moreover, even if the locals' intuitions were somehow as coherent as the philosophers', it still does not follow that they are as likely to be correct, for coherent sets of views may include various views that are intuitively obviously false. The point is Moorean:²¹ there are some propositions in metaphysics which are more plausible than any epistemological thesis to the effect that disagreement with

²¹ G.E. Moore (1925) gave the following famous argument against skepticism: If skepticism is true, then I do not have hands. But it is more plausible that I have hands than that any argument for skepticism relies only on sound premises. Therefore skepticism is to be rejected.

people who have systematically different intuitions within some domain of inquiry precludes us from having any knowledge within that domain. A plausible example, I would say, is “there are concrete particular things which bear properties.”

Our disagreement with the Yanomamo is plausibly like the disagreement between the philosophers and locals with weird metaphysical intuitions, with the exception that I think we have *extra* reason to think that their moral intuitions are not as coherent as ours. The mere fact that they have intuitions that systematically differ from ours certainly does not suffice to establish that they would continue to hold the moral beliefs that they do if they appreciated ours, and if they could experience life in a culture like ours where those beliefs are widely held. For given that morality concerns how one ought to live, and given that it is overwhelmingly plausible that people live *better* in our culture than in theirs – they are, for instance, largely protected against having their lives cut short by random acts of violence – it is quite plausible that the Yanomamo who reflected on the matter with the right information would change their minds.²² But even if they did not, because they are all sufficiently committed to moral norms that allow wanton cruelty, I do not see why the moral realist cannot simply insist that the wrongness of wanton cruelty is more obvious than whatever disagreement principle Bennigson (or anyone else) could supply that demands us to drop claims to knowledge in the face of disputants who have systematically differing intuitions. This argument is, of course, question-begging, as it takes for granted precisely what Bennigson takes himself to be arguing against – namely, the

²² In fairness to Bennigson here, he accepts near the end of the paper that more work would have to be done to show that the disagreement between us and the Yanomamo is actually irresolvable in the right way – maybe their views aren’t as coherent as ours, or they don’t have access to all the right empirical information – and settles for the conditional thesis that *if* the disagreement is irresolvable, moral realism is in trouble (Ibid: 431). So perhaps I should be clear that we do not necessarily disagree here. But, with this concession made, the big worry for his argument then becomes that we almost surely don’t (and won’t ever) have actual people with whom we are sufficiently confident that we have irresolvable moral disagreement for his argument to do work.

truth (realistically construed) of certain moral claims. But every argument has to start somewhere, and the realist may insist that she is as certain that wanton cruelty is wrong as she is of anything. And to insist upon Bennigson's epistemic principle would seem to beg the question just as much.

2.1.2 Numbers

Now perhaps someone following Bennigson here might respond that the case of the Yanomamo at least gives us *some* evidence that people could coherently disagree with virtually all of our moral intuitions, and that even if it is not plausible that this automatically destroys any claims to moral knowledge, it plausibly does count as *some* evidence against even our most basic moral views. I think that this more modest epistemic claim is significantly more plausible than Bennigson's claim that inability to provide a non-question-begging argument in defense of our own intuitions would by itself rule out claims to knowledge. I still am dubious of it for the same Moorean reasons that I am dubious of the stronger principle, but I am much less dubious, so for the sake of argument let us suppose that it is true. Could this be part of a sound version of the Epistemic Argument?

Again, almost surely not. For if the fact that certain people whom we plausibly take to hold relatively coherent views disagree with us counts as evidence *against* our views, then plausibly the fact that many other people, whom we also take to hold relatively coherent views, *agree* with us counts as counterbalancing evidence. As a comparison, suppose that I form a judgment concerning how many baseball games my favorite team will win next year. Suppose next that I read the opinion of a noted expert baseball writer, and find that he disagrees with me. That plausibly is some reason – probably not by itself decisive reason, but some reason – to think that I did not correctly estimate my favorite team's expected wins for the next season. But

suppose I then read the opinions of ten other noted expert baseball writers, and find that all of them agree with my initial guess (more or less). Surely on balance I would be at least as justified in believing in my original estimate after that series of events than I was before finding out about the one dissenter, and indeed plausibly my justification afterward is even stronger.

The case of our disagreement with the Yanomamo is almost exactly like this. Yes, there are still many societies in the world where morally outrageous behaviors remain all too common, but in the areas of the world where the most educated people live, views like those of the Yanomamo are becoming virtually non-existent. It would perhaps be true that if we lived in a world where as many informed people as not subscribed to Yanomamo ethics there would be no moral knowledge even of basic propositions like the one that wanton cruelty is wrong. But that is not the world in which we live, so the point is moot.

In short, an argument like Bennigson's cannot succeed because it will either require an extreme epistemic premise that the moral realist can insist is far less obvious than any moral truths it purports to undercut, or it runs afoul of the fact that almost no one actually agrees with the highly unusual Yanomamo.

2.2 Leiter on Fundamental Disagreement in Normative Ethical Theory

As we saw in the previous chapter, Brian Leiter has suggested that the type of moral disagreement which has the greatest metaethical significance is that among philosophers over what is the correct normative ethical theory.²³ I discussed in the previous chapter how this might be formulated as a version of the Abductive Argument, but it is also worth seeing how it might function in a version of the Epistemic Argument. According to this version of the Epistemic Argument, actual disagreement amongst philosophers over the correct normative ethical theory

²³ Leiter (forthcoming).

entails that we must give up nearly all of our views in normative ethics, and this is extremely implausible for one of two possible reasons: either because some of our normative ethical views are themselves among our most confidently held views in all of ethics, such that it would be, as Bennigson suggests, wildly implausible to accept skepticism about them; or because our justification for even our most confident first-order views will be eroded if we have to give up our normative ethical theoretic ones.

A strength of this argument is that there may be enough disagreement of the right sort that the main problems which plague Bennigson's view do not apply to it. First, given the distribution of views in normative ethics amongst philosophers, the numbers problem seems like much less of a worry. Second, given that philosophers are exactly the sorts of people who are most likely to have internally consistent views, and thus *not* to be easily diagnosed as obviously confused (like the Yanomamo), their views cannot easily be dismissed, and disagreement with them probably must be taken seriously. The Moorean worries remain, but, plausibly, even a relatively modest disagreement principle – one *far* less demanding than that which features in Bennigson's version of the Epistemic Argument – may end up requiring skepticism here.

Unfortunately, even if this is right, neither of the two proposed ways of making the consequence all that implausible succeeds. Start with the option according to which our normative ethical views are among our most central, firmly held moral views, such that skepticism about these views is simply not an option. The problem is one we have already seen: some generalizations worth calling normative ethical principles, like “causing great pain is almost always wrong,” or “promises are, other things equal, to be kept” are accepted by almost every moral philosopher and so not subject to the right sort of disagreement. So, absent an epistemic principle as strong as Bennigson's, according to which the fact that *any* philosophers

rejected these claims would provide grounds for skepticism about them, no such counterintuitive result is called for.

An advocate of this version of the Epistemic Argument might reply that at least some moral generalizations *are* subject to significant philosophical disagreement. Perhaps “killing is/isn’t worse than letting die” and/or “harming an innocent to avert a disaster is sometimes/is never justified” are examples here. These might correctly be classified as normative ethical principles, in that they are general claims whose acceptance or rejection would seem to have impacts upon what one takes the morally right thing to do to be in a range of cases. And I do think that they remain disputed by philosophers to a considerable extent, and so even a relatively modest epistemic principle might call for skepticism with respect to them. But the problem with this way of framing the Epistemic Argument is that it is just not clear what reason the advocates of this argument have for holding that it is unacceptably counterintuitive to conclude that we might be required to be skeptics about these matters. For whatever the reason is why it is extremely implausible that we could be mistaken about the most basic moral truths, it would certainly seem to be a lot less implausible that we could be mistaken about issues such as whether killing is worse than letting die, when we can at least know that both are bad. Moreover, and crucially, the more confident one is that the facts about whether killing is worse than letting die, or whether it is sometimes permissible to cause an innocent person harm to avoid a catastrophe, could not be unknowable, then the more reasonable it will become for one to make the sort of Moorean response to disagreement about these matters that we considered in the previous subsection. That is, the more reasonable it will be for one to judge that even the more modest disagreement principle necessary to infer skepticism about some matter from the existence of disagreement about it cannot be true. So although there may be a way of making

something like this argument go through – and ultimately in chapter five I will present an argument along these lines – it will have to be made significantly clearer both why skepticism about such questions is implausible, and why whatever disagreement principle is required to make the argument work is plausible.

Turn, then, to the other option for filling in the Leiter-style version of the Epistemic Argument. Here the suggestion is that philosophical disagreement in normative ethical theory – such as that between consequentialists and deontologists – may ultimately require a radically implausible degree of moral skepticism (assuming, as we have been, moral realism), because if our justification for believing our preferred normative theory is undermined, then our justification for all of our particular first-order moral beliefs will be as well. The problem here is that the argument makes the extremely controversial assumption that in order to be justified, one's first-order moral views must follow from one's normative ethical theory. There may be philosophers who believe something like this,²⁴ but I do not see sufficiently good reason to believe it. It seems that people who do not even hold a normative ethical theory (even implicitly) could still hold justified moral beliefs (if anyone can). Ever since John Rawls famously gave the name “reflective equilibrium” to the procedure of modifying one's moral views both at the level of theory and at the level of first-order judgments in order to form the most coherent possible overall set of beliefs, I take it a majority of moral philosophers have agreed that part of what justifies a normative ethical view is its fit with particular first-order views that we take to be correct.²⁵ And if this is right, then the justification of our first-order views is not entirely held hostage to the justification of a normative ethical theory, and we could reasonably go on holding many of our first-order views even if skepticism at the level of theory were required. Here it is

²⁴ For instance perhaps Peter Singer does. See Singer (2005).

²⁵ See Rawls (1971).

notable that, as realists have pointed out, the vast majority of normative ethical views which have serious philosophical defenders agree about what is right or wrong in the vast majority of actual cases.²⁶ In short, it once again is not at all clear why the skepticism called for would be terribly implausible.

I thus conclude that the Leiter-inspired version of the Epistemic Argument cannot show that enough disagreement of the right sort exists to force us, if we are moral realists, into an unacceptable degree of moral skepticism.

3. The Most Moderate Version: Looking at Actual Specific Disagreements

The most modest version of the Epistemic Argument, then, will appeal only to actual disagreement, and will appeal only to specific matters about which there seems to be enough disagreement of the right sort for skepticism to be forced upon us by a modest and plausible epistemic disagreement principle. This is certainly a good way to formulate the argument if one wants to ensure that it actually does successfully demand skepticism about some range of moral questions. And it is not wildly implausible that this may include a large number of issues. To see this one need only peruse ethics journals or textbooks, or keep up with current political debates. Here is what I take to be a far from comprehensive list of issues that remain quite widely disputed, even among people whose opinions we would have some reason to trust according to a plausible epistemic principle, such that it is not wildly implausible that skepticism toward them may be called for:

- whether the death penalty is justified for first-degree murderers;
- whether abortion is permissible at various points during a pregnancy;

²⁶ See for instance Boyd (1988: 212-214).

- whether it is permissible to have a number of children that far exceeds the population replacement rate;
- whether genetic enhancement of human embryos (if and when technology allows it) is wrong;
- whether a nation-state may refuse to admit immigrants and/or refugees with very poor life prospects in their current states;
- whether suicide is wrong;
- whether eating factory-farmed meat, and/or other animal products from factory farms is permissible;
- whether routinely flying a private airplane (given its contribution to global warming) is permissible;
- whether failing to recycle if it requires more than minimal effort to do so is permissible;
- whether offensive, preemptive war is ever permissible;
- whether torture is ever permissible;
- whether failing to give money to charities is permissible;
- whether voting is morally obligatory.

Of course, answers to some of these issues may bear on answers to others, such that progress on one might result in progress on others, and disagreement over these issues, among the sorts of people with whom disagreement should be troubling, might not persist. However, I do not think it is overly pessimistic to say that the prospects for reaching significant consensus on these issues, even among philosophers, are rather bleak. But regardless, there still seems to be a lot of

disagreement over these issues *now*, and so we may well be required to withhold judgment about them, at least for now.

Still, even in the best-case scenario for the advocate of this version of the Epistemic Argument, it just is not clear at this point why skepticism over all of these matters, and perhaps more, would be an absolutely unacceptable consequence. It is true that many people – including very educated, thoughtful ones – hold very firm views about these matters, but many educated, thoughtful people also hold firm views about other disputed questions in philosophy, as well as outside of it, in, for example, religion. Now whether we are required to withhold judgment about such philosophical or religious claims in light of the disagreement about them is a subtle matter, which, I think, might vary from case-to-case depending on just how much disagreement there is about a various issue (and of course it will depend on what exactly the correct epistemic disagreement principle turns out to be). But the point is that even though people hold very firm views about some of these matters, and even though disagreement over them *might* ultimately require skepticism, I do not think this does a great deal to motivate anti-realism about most philosophical matters, and certainly not about religion. That is, it does not seem that skepticism over them is simply out of the question; if a plausible disagreement principle does indeed demand skepticism on some of these matters, that would simply seem to be a result which we would regrettably have to live with, and although people might persist in their views regardless, this would have to be seen as epistemically irresponsible stubbornness.

This brings into sharper focus a point introduced earlier in discussing Bennigson's version of the Epistemic Argument. There, I noted that it would be nice to hear more about *why exactly* skepticism about even our most “central” or “fundamental” moral judgments would be so unacceptable – although I conceded that such skepticism was rather implausible. But since

reasonable views in the epistemology of disagreement, given the extent of actual disagreement, appear to call at most for skepticism over a limited range of particular first-order ethical questions, we will now certainly need a case for why a commitment to that degree of skepticism is a serious problem for the realist. And as far as I can tell no existing version of the Epistemic Argument provides much of an answer to this question.

To anticipate, I will ultimately argue in chapter five that we are reluctant to accept skepticism about the sorts of issues that actual moral disagreement would force upon us, if moral realism were true, and that this is an integral part of the best argument from disagreement against moral realism. However, it will not be a premise to that argument simply *that moral skepticism is unacceptable*. Rather, what I will argue is that our commitment to our moral views, in the face of the call for skepticism which disagreement makes, is better explained by an anti-realist metaethical view than a realist one. So I do *not* argue that skepticism is, on its face, simply unacceptable. (And of course before I provide this argument we will first have to know what a plausible disagreement norm looks like).

And it is finally worth emphasizing that the “best-case scenario” for the advocate of a modest version of the Epistemic Argument – where a reasonable disagreement principle would, in fact, call for skepticism about many or all of the moral issues I listed a moment ago – may not obtain. For a plausible disagreement principle will, for reasons we will see more clearly in the following chapter, sometimes allow one to remain justified in one’s views, even in the face of disagreement about them. Specifically, when one is highly justified in holding a certain belief, then the fact that many people disagree with one about that belief may provide cause for one to downgrade one’s assessment of one’s disputants, at least within that domain of inquiry, rather than to decrease one’s certainty in the judgment itself. This is relevant because, to date, no

version of the Epistemic Argument has been presented which adequately explains why someone couldn't be justified in holding onto her moral beliefs in the face of disagreement owing to her having what I referred to earlier as a "moral sense." That is, it has not been explained why a person could not receive sufficient justification for her disputed moral judgments from some faculty or reasoning ability to allow her to largely discount, or perhaps even ignore entirely, much of the disagreement that exists, even from people that she trusts on other matters.

In the end, then, while the Epistemic Argument is suggestive, all of its existing versions either appeal to disagreement which may very well not exist (at least in sufficient quantities, among the right agents), fail to sufficiently explain how this disagreement demands skepticism rather than a downgrading of our assessment of those who disagree with us, or fail to sufficiently explain why the resulting skepticism is unacceptable.

Chapter 4: The Relative Weight View, and How Disagreement Matters

In the previous chapter, I examined, in outline, an argument to the effect that, if moral realism is true, we do not have moral knowledge because of the amount and type of disagreement that exists over (at least a fairly wide range of) moral questions. I claimed that some philosophical disagreement might preclude knowledge of some moral issues, if moral realism were true, but that we do not really have a good idea of the answer to this until we have a more precise statement of a generally plausible epistemic disagreement norm. In this chapter, I defend a view which I call the Relative Weight View about the proper response to disagreement in non-indexical belief, and I apply that view to disagreement in philosophy. I argue that it shows that disagreement does matter quite substantially in philosophy, but that the answer it gives enjoys sufficient intuitive support that on balance we should accept it. I do recognize a very important potential objection to the view, which is that it is self-defeating, but I suggest that if the view is only *contingently* self-defeating, and does not defeat itself, this is a result we have to live with.

The Relative Weight View is somewhat complicated, so, after disposing of some necessary preliminaries, I motivate it by first examining some simpler but similar views.

1. Degrees of Belief, and Concessive and Resilient Views

Views in the epistemology of disagreement will often need to make use of pretty fine-grained degrees of belief. The reason for this is quite easy to see in an example. Suppose that I consider you to be my “epistemic peer” with respect to a given question Q in the following sense: before finding out that we disagree about Q , I would have thought that, should we happen to disagree about Q , you would be just as likely as I to hold the correct view about Q . Then, I find that you believe the answer to Q is p , whereas I take it to be not- p . It is overwhelmingly

intuitively plausible that, at least in this case, I should defer to some extent toward your judgment, which plausibly requires that I withhold judgment about p .¹ But what if you believe p , whereas I believe neither p nor not- p (my considered view is that the evidence is inconclusive)? To give an answer here, we need to appeal to more fine-grained doxastic states than belief, disbelief, and agnosticism, because if I remain agnostic, then I'm not deferring at all, and effectively ignoring the disagreement, whereas if I come to believe p , I'm deferring too much, and effectively ignoring all my reasons for being agnostic before the disagreement.

The standard move is to employ “credences”: the (often implicit) probabilities that people assign to the truth of various propositions. For instance, if you believe p , but with some hesitation, your credence in p will be something like 0.8. In this framework, there are intermediate states between most doxastic states.² In our example above, if we specify that you hold credence 0.9 toward p , and I hold credence 0.5 toward p , then, since I consider you a peer, I should probably come to hold a credence of something like 0.7 toward p . This would be

¹ And of course, if you also have reason to see me as your epistemic peer, then you ought to defer as well. So we should probably both withhold judgment here. However, even if you are irrationally stubborn and don't defer, that doesn't change the fact that I should (although it might affect whether I in fact do). So for the rest of the chapter I will just talk about what one person should do (and this person will, in most examples, either be “me” or “you”).

² I say “most” because some readers will doubt the universal claim that, for any two doxastic attitudes, there is an intermediate state between them. This is because some people think that, in order for two such attitudes to be distinct, there must be a real psychological difference between being in one and being in the other, and doubt that there is any real psychological difference between, say, having a confidence of .500 in a proposition, and having a confidence of .501 in it. If this worry is reasonable – and it may be – then concessive views won't say that each of two peers should adjust her beliefs to be more like those of other in *all* cases of disagreement. But as long as our doxastic attitudes are *pretty* fine-grained, concessive views will do so in *most* cases. And of course the cases when concessive views won't say that will be cases when the parties are extremely close to agreeing already.

something like “thinking that p is possibly true, but being quite unsure.”³ And I suppose some people might doubt that there are such states, but this seems to be phenomenologically inaccurate, and will from hereon simply assume that such states exist (although, for reasons explained in a footnote above, I do *not* assume that such states are infinitely dense).

Finally, a bit of terminology: Let us call views in the epistemology of disagreement more “concessive” to the extent that they call for more significant adjustment of belief in a larger range of cases of disagreement. And let us call views more “resilient” to the degree that they permit minimal or no adjustment of belief in a larger range of cases of disagreement.⁴ The more concessive of a view one holds, then, the more one believes that disagreement is epistemically important, and the more one will be tempted to conclude that disagreement threatens many of our existing beliefs about philosophical matters.

2. The Basic Case for a Concessive View

Advocates of concessive views generally motivate their positions by appealing to cases like the following: You and I are out for a hike. We’ve been walking for a few hours, but stopping occasionally to enjoy the view. Each of us takes the other to be roughly equally as good at judging distances walked. Then we pass a stranger who asks if it is more than five miles back to the trailhead. At the same time, I say, “Yes, it is” and you say, “No, it’s not.” There is a very strong intuition that I ought to give your belief some weight, and become less confident in the proposition that it is more than five miles to the trailhead. But how much should I adjust my

³ Would this count as “believing that p ”? That depends on what degree of credence is necessary for belief, a question I won’t attempt to answer (and in any case I think it is almost certainly vague).

⁴ I recognize that this allows that a view could be concessive/resilient in one respect, and not concessive/resilient in another. But this will not (I hope) be a source of confusion in what follows.

belief? And to what extent does this result generalize?

A natural answer to the first question is that since I take us to be equally qualified judges in this case, I ought to weigh our judgments equally in determining what to believe. Specifically, my credence in the proposition that it is more than five miles to the trailhead should become the average of our two “pre-disagreement” credences in that proposition; as some writers have put it, I should “split the difference” with you.⁵ And a natural answer to the second question is that since what is relevant in this case is that I take us to be equally qualified judges, I should at least do likewise in any case that shares this feature. But generalizing further, it seems attractive to say that what one ought to do in *any* case of disagreement depends principally upon how reliable of a judge of the matter at hand one takes oneself to be, as compared to one’s disputant – let us call these your “comparative epistemic credentials” – and that, on an imprecise first-pass, one should defer to the degree that one takes one’s disputant to be a better or worse judge. This would make deference halfway in the case of disagreement with a peer a particular application of a general rule that requires deferring less in cases of disagreement with an “epistemic inferior,” and more in cases of disagreement with an “epistemic superior.”

Let’s call this first-pass view the “Simple Concessive View.” In its favor, we can note that it certainly seems to summarize how it is rational for a *third party* to respond to a witnessed disagreement. If I learn that Al and Betty disagree about proposition *p*, where Al holds credence 0.4 in *p*, and Betty credence 0.8, but I think that Betty is Al’s epistemic superior on this matter, and specifically is 75% likely to be correct in such cases, then the rational credence for me to

⁵ Splitting the difference is recommended by the so-called Equal Weight View defended by Adam Elga (2005) and David Christensen (2007) (I take the “split the difference” locution from the latter). Admittedly, in the example, I haven’t said what each of our credences toward the disputed proposition is. I did this to keep it as simple as possible; we could easily stipulate further details about the case such as what our two credences are in order to make a more complete but more complicated example.

hold toward p seems to be: $(0.4 \times 0.25) + (0.8 \times 0.75) = 0.7$ – which, appropriately, is equivalent to moving 25% of the way from Betty’s view toward Al’s. (This, of course, is assuming that the only evidence you have relevant to the probability of p is what Al and Betty believe.) Advocates of concessive views then ask: Why should one be able to treat the case differently, just because one of the disputants is oneself? (Note: I will revisit this issue in an objection in §7 below.)

3. Why the Simple Concessive View Cannot be Correct

Although I believe that the Simple Concessive View is *close* to the right view, it is wrong in an important respect, and we should not always respond to disagreement in the way that we should respond to the disagreement in the hiking case. Cases like the hiking case are especially conducive to eliciting concessive intuitions because they involve first-order judgments which are relatively tentative, compared to assessments of relatively strong comparative epistemic standing on the part of disputants. As the case is described, it suggests that I may not have all that firm of a conviction about whether we’ve gone five miles or not, whereas I do have reasonably good grounds for taking you to be roughly a peer on this matter. And the more comparatively confident we are in our assessments of the epistemic credentials of others, then, when those assessments call for significant deference, the more we tend to find that deference appropriate.

But this can change when we consider highly confident first-order judgments, and less confident judgments of the epistemic credentials of others. Modify the hiking case in following way: Suppose that I am almost *sure* that we’ve gone at least six miles, because, for whatever reasons, I know roughly the length of my stride, was assiduously counting my steps the whole way, and have carefully calculated the result. And suppose also that my reason for taking you to be a peer on this matter is simply that, although we just met yesterday, in our limited interactions

to date you've seemed to be a reliable judge about most matters that have come up, in that you seem to make reliable perceptual judgments and to reason correctly. I submit that in this case, even if you tell me that you've also been counting steps, and focusing hard, and are confident that we've gone less than four miles, it is reasonable for me to remain firm in my judgment. Moreover, this holds even if I don't know how you've gone wrong. The reason is simply that I am *more* justifiably confident that my assessment of how far we've gone is reasonable given the total evidence we now share than I am in my assessment of your epistemic credentials on this particular matter (as compared to mine). And even though you are confident, I should think that you have probably made a mistake, simply because...well, *because we've gone at least six miles*, and you deny that.

And not only should I stick to my guns here, I should conclude that you are probably not my epistemic peer on this matter. Why? Because you believe something that, so far as I can tell, is not only false, it's *way off*, and you believe it quite confidently: you're almost sure that the distance we've travelled is at least $\frac{1}{3}$ shorter than (so far as I can tell) it actually is. That is possibly not grounds for me to conclude that you are downright hopeless when it comes to tracking distances – particularly, again, if my reasons for considering you a generally reliable source are decent ones – but it is grounds for demoting you to “not as good as I am.”

Some will initially be queasy about this suggestion, on the grounds that it is inappropriately dogmatic to demote someone's comparative epistemic credentials just because he disagrees with you, when you cannot show precisely where he goes wrong (and I long thought so myself). But it *has* to be reasonable to demote people in some such cases, or we could never be justified in taking anyone to be an epistemic inferior about anything without being able to show specifically either where his views are internally inconsistent, or what relevant information we

have that he lacks – which would have to be such that if he were to acquire it, his view would change. Now it may very well be true that we have very general and epistemically powerful reasons to trust the judgments of others if we cannot expose precisely where they go wrong (indeed, I think we do). But why should we insist, in advance, that those reasons *must always* be stronger than the reasons we have to, for instance, trust certain firm intuitions that we hold, or perceptual observations that we make? I cannot see what good case could be made for such an extreme principle, and Moorean considerations tell strongly against it.⁶ Moreover, I think that many of us *do* take people to be our epistemic inferiors just because they believe things that (so far as we can tell) are false – which, effectively, is just to say that they disagree with us – and do not, on reflection, take this to be illegitimate.

Additionally, it should be emphasized that I do *not* think that I should either stick with my guns, or demote you as a peer, in the doubly modified hiking case in which I have significant special reason to think that you really *are* as good as I am at tracking distances travelled by counting steps. If, for instance, I've seen you accurately track distances walked in the past as reliably as I have done so, then, despite my high confidence that we've gone at least six miles, I should defer quite substantially, because I should *also* be highly confident in my assessment of your epistemic credentials. As a more intermediate case, if I've seen you accurately track distances *fairly* reliably in the past, then I should probably defer to some extent, although probably not halfway toward your judgment. To repeat, a crucial aspect of the first modified hiking case is that I have significantly *more* reason to be confident that my disputed judgment is reasonable than I do in my initial judgment of your reliability.

⁶ Ralph Wedgwood (2010: 237-242) elegantly explains how a case for this claim might be made drawing on certain points made by Allan Gibbard (1990). But, like me, Wedgwood thinks that the argument is insufficient. Cf. my discussion of Moorean arguments in chapter three above.

Moral: We can be more or less confident in our judgments of disputed matters, as well as in our judgments that people are our peers. So even if you think someone is most likely your peer *coming in* to a disagreement, it does not follow that you must defer to her on that basis, if you are justified in being much more confident that you have got some matter right. It just depends on the relative weights of the reasons. I do not see how this can be reasonably denied.

4. The Relative Weight View

I can now present the Relative Weight View. Because of its generality, the view is rather complicated, so let me first try to explain it conceptually: the basic idea is that the (justifiably assessed) relative epistemic credentials of a disputant establish an *upper limit* on how much weight one should give to her judgment, as compared to one's own, and then the degree to which one should weight her judgment *less* than this amount is determined by how confident one is in one's initial judgment, as compared to one's judgment of the epistemic credentials of one's disputant. Thus, in the first hiking case, when I should be significantly more confident that you are roughly my peer than in my disputed judgment, I should weight your judgment the maximum amount that peer disagreement can require, which is just as much as my own judgment. But in the modified case, when I'm much more justifiably confident in my disputed judgment than I am that you are my peer, I should weight your judgment the minimum amount that peer disagreement can require – namely, very little or none.

Here, then, is the view, given in three rules:

Relative Weight View (Case of Single Disagreement): When one disagrees with one other person over the credence one ascribes to a given proposition, then:

- 1) One should first assess the *relative epistemic credentials of one's disputant*; that is, one should judge, based on the evidence available, how likely one's disputant is to be right about questions like the one under dispute, rather than oneself. Whatever percentage this is, that is the maximum degree that one can be required to weight the judgment of one's disputant. Importantly, facts about the very disagreement in question *can* be reasonable grounds for adjusting this value.
- 2) One should next assess one's *relative confidence in disputant error*; that is, how justifiably confident one is that one's disputed judgment is the rational judgment to hold, given all evidence available to both parties, *vis-à-vis* how justifiably confident one is in one's assessment of the epistemic credentials of one's disputant.
- 3) Finally, one should calculate a *weighted average* of one's belief and the belief of one's disputant. One should weight according to relative epistemic credentials, subject to the condition that one should weight the judgment of one's disputant *less* the *higher* one's confidence in disputant error. Specifically:
 - a. when one's relative confidence in disputant error is *very high*, then, regardless of one's assessment of the relative epistemic credentials of one's disputant, one should give very little to no weight at all to the disputant's judgment;⁷

⁷ To head off a potential objection: this does *not* make it too easy to defer very little, or not at all, in a disagreement with a person whom one is very confident is vastly one's epistemic superior, just because one is very confident in one's disputed judgment. Rather, if one is very confident that one's disputant is a superior, one should typically defer substantially. But the Relative Weight View gets this result, because if one is very confident of the epistemic standing of one's superior, it will be extremely difficult to justifiably have extremely high relative confidence in disputant error. And since the upper limit on deference with a vast superior is close to 100%, even relatively high confidence in disputant error will still require relatively substantial revision.

- b. when one's relative confidence in disputant error is *very low*, one should weight the disputant's judgment to the maximum possible degree as given by 1); and
- c. when one's relative confidence in disputant error is *intermediate* between the cases covered in a) and b), one's weighting of the disputant's judgment should be *intermediate to a corresponding degree*.

Before proceeding, two small points of clarification: First, rules 1) and 2) refer to "justified assessments" and of being "justifiably confident." This is because one cannot make it correct to be more or less stubborn in the face of disagreement simply by *being* more or less stubborn – what determines how resilient or concessive one ought to be is what one's evidence indicates both about the disputed judgment and about one's disputant's credentials.

Second, rule 2) refers to how justifiably confident one is that one's disputed judgment is rational, *given all evidence available to both parties*. The proviso is included to account for the fact that sometimes one will have made a judgment which was rational *given the evidence which one had when one made it*, but which would not be rational to hold given the additional evidence possessed by one's disputant. And in order to be sufficiently confident in a judgment that one should not defer except to a disputant whose epistemic credentials one has very strong reason to trust, one should have some reason to believe that any additional evidence possessed by one's disputant is extremely unlikely to alter what it is rational for one to believe. Most often, this will occur in cases in which one has sufficient information to rationally conclude that a judgment is true or false – as in the modified hiking case, when I am sufficiently justifiably confident in the proposition "we've gone at least six miles," that I may continue believing it regardless of what I

learn you believe.⁸ However, in some cases it is rational to be what we might call “confident agnostics” about some matter. For instance, I say that the appropriate credence to have, given scientific knowledge as of 2012, toward the proposition “there are an even number of stars in the Milky Way,” is 0.5.⁹ And, since I (reasonably, I think) strongly doubt that anyone has sufficient information to justifiably believe either that this proposition is true or that it is false, I need not defer in the face of disagreement.

Now, it is obvious that the vast majority of actual cases will fall under the purview of rule 3c). So, it is worth explicating what it demands with an example. A salient instance is the case when one disagrees with someone judged to be a peer, and one’s relative confidence in disputant error is what we might call “neutral”: one is roughly equally confident that one’s disputed belief is rational, regardless of what one’s disputant believes, and in one’s assessment of the credentials of one’s disputant. The Relative Weight View says that in such a case one should weight the judgment of one’s disputant roughly *half* of the maximum possible degree for disagreement with someone judged to be a peer. Per rule 1), the maximum weight one can give to the judgment of a peer is an equal amount of weight as one gives one’s own judgment. Hence one should weight the judgment of one’s disputant *half* of what one weights one’s own judgment (the effect of which will be that one moves $\frac{1}{2}$ of the way toward the judgment of one’s disputant.) Example:

You hold credence 0.7 toward p and someone you take to be a peer holds credence 0.4.

⁸ Actually, there are probably *some* limits to this, because just as even a very confident belief can in rare cases be undermined, even a belief that it is reasonable to maintain despite *most* disagreement may not be entirely immune to *all* disagreement. If, for instance, you are able to make a sufficiently sincere, detailed, and convincing case that I was drugged by a mischievous passerby before we set out on the hike, then perhaps I should defer, as now my confidence may be undermined. So to be entirely precise, we should probably say “regardless of what you believe *about the question of how far we have gone*.”

⁹ I hope that the reader will charitably allow me assume that “star” is not a vague term, so that there is indeed a (presently unknown) truth value to the proposition “there are an even number of stars in the universe.”

Additionally, you are equally confident in your assessment that she is your peer as you are that 0.7 is the correct credence to hold toward p given the total body of evidence available to either of you. Then your adjusted credence should be $((0.7 + (0.5 \times 0.4))/1.5) = 0.6$.¹⁰

Those with strongly concessive intuitions may find this recommendation inappropriately resilient. They may think: “If she is your peer, you should move halfway toward her view.” But for reasons already touched upon, one is not required to do so unless one has very strong evidence that one’s disputant is a peer (and is not comparably confident in the disputed judgment). I suppose one might deny this by holding that as long as one has a degree of confidence in one’s assessment of the relative epistemic credentials of one’s disputant that exceeds some particular *threshold*, one should defer to the maximum degree (for those relative credentials). However, this produces the implausible result that there will be cases in which a *radical* jump in what one should believe will result from only a very *minimal* change in one’s information. Example: Let T be this supposed threshold of confidence in the relative epistemic credentials of a disputant, at or above which maximum deferral (per those specific credentials) is required, and now imagine two cases: in the first, your justified confidence in your assessment of the relative epistemic credentials of an agent A (with respect to some issue), on the basis of evidence set E_1 , is precisely at T ; in the second, your justified confidence, based on evidence set E_2 , which consists of E_1 plus some consideration which tells *very slightly* against A ’s credentials, is just barely below T . Then on the proposed theory, you may respond to disagreement with A in

¹⁰ Where these numbers come from: 0.7 = your pre-disagreement credence; 0.5 = the weighting factor you apply to the judgment of your disputant (this factor would be 1 if you were weighting your disputant’s judgment equally to your own); 0.4 = your disputant’s pre-disagreement credence; 1.5 = factor you must divide by in order to calculate the weighted average, since you weight your judgment in full, and the judgment of your disputant one-half.

the first case by adjusting your credence *drastically less* than in the second case. But that is highly implausible – what it is rational for you to believe in these cases should be quite similar.

5. Group Disagreement

The Relative Weight View, as presented thus far, only provides instructions as to how to respond to a *single instance* of disagreement. And of course we often disagree with multiple people at once, we often disagree with different people in different ways, and sometimes we disagree with some people while agreeing with others.¹¹ More importantly, it is *not* the case that when one disagrees sequentially with multiple persons over the same question, one should repeatedly apply the procedure laid out in the previous section. The reason for this is easy to state: if one repeatedly applied that procedure, it would turn out that what one should believe about certain matters would depend upon the mere *order* in which one encountered disagreement. Example: Suppose you hold credence .5 toward *p*, someone you believe to be 70% likely to be right in case of disagreement holds credence 0.8, and someone you believe to be a peer holds credence 0.3. Assume for simplicity that your relative confidences in disputant error are both low, so that your disputants' judgments receive maximum weighting. Then it turns out that if you simply apply the procedure detailed in the previous section twice, if you disagree with the superior first, and then the peer, your recommended final credence will be 0.55, whereas with the order reversed it will be 0.68.¹² Since it is overwhelmingly plausible that what

¹¹ To be clear, within the framework we are currently employing, it will strictly speaking be rare to *entirely* agree with someone, as this will require that two people both ascribe precisely the same probability to the truth of a given proposition. But this means that you may “disagree” with people who, in a broader sense, believe the same things that you do, as they may believe them more or less strongly.

¹² Calculations:

First disagree with superior: $(0.5 + (2.333 \times 0.8)) / 3.333 = .71$, then with peer: $(0.71 + 0.3) / 2 = 0.55$.

one is justified in believing is determined by the evidence one has, not the order in which one obtained it, this cannot be the correct way to proceed.¹³ So in this section I extend the Relative Weight View to explain what one what should one do in the face of *group* disagreement.

The sort of case just explored, in which one disagrees with several people over time, is what I'll call a "diachronic" case of group disagreement. And the proper view on diachronic group disagreement can, I'll argue, be derived from the proper view on "synchronic" group disagreement – that is, disagreement with multiple people simultaneously.¹⁴ So let us start with that question.

In fact, it is quite easy to see how to generalize the Single Case Relative Weight View to deal with synchronic group disagreement. You should simply calculate a weighted average *group* belief (with yourself as a member of that group), where you determine the weighting of the judgment of each individual disputant according to your relative confidence in disputant error *for that particular disputant*.¹⁵ It will of course be possible that you will be more confident in

First disagree with peer: $(0.5 + 0.3)/2 = 0.4$, then with superior: $(0.4 + (2.333 \times 0.8))/3.333 = 0.68$.

Alastair Wilson (2010) first drew attention this "commutativity problem" for certain views in the epistemology of disagreement in print.

¹³ There probably *is* a way to fix this, so that in all cases of disagreement one can simply apply the Relative Weight View as laid out in the previous section. However, this would require a more fully worked out view of how one should *update* the relative credentials of disputants, and one's relative confidence in disputant error, as one adjusted one's credences following various episodes of disagreement. And since I have no idea what the right theory on that would be, I recommend a different strategy in this section.

¹⁴ The two types of disagreement can of course be combined, as when one disagrees with multiple people on multiple occasions.

¹⁵ I add the "with yourself as a member of the group" clause as I do not want it to sounds as though the view is that you should *first* calculate the view of the group consisting of everybody else, and *then* calculate the weighted average of that "group" entity's belief with your own. Rather, the calculation will be just like the calculations in the two person case; there will just be more quantities added in the numerator of the fraction, and the denominator will be larger. Does this mean that disagreement with lots of people can swamp your own judgment? I consider this in the case of philosophical disagreement below, but will give the short answer here: In some cases it may, but that hardly strikes me as intuitively inappropriate if, based on past track record,

some people's credentials than others, and thus will weight the judgments of some disputants more heavily than others, but this results in no additional conceptual complication.

Now, in the diachronic case, you should do essentially the same thing, with the additional wrinkle that you will have to employ the notion of a *disagreement-independent credence*: the credence that one ascribes to a disputed proposition, *bracketing adjustments that one has already made to account for disagreement*. Thus, if I now ascribe credence c_1 to proposition p after discussing it with many people, then in calculating how to react to an additional case of disagreement, I should *not* use c_1 as my own credence, but rather c_0 : what I would believe independent of all disagreement. But otherwise, I should calculate precisely as if this were a case of synchronic disagreement with everyone with whom I have disputed the matter to date.

This provides a nice segue into one final qualification to the Relative Weight View on group disagreement just presented: you should, in general, attempt to use the credences that others ascribe to propositions *independently of what others think* in determining how to respond to disagreement with them, and to the extent that a disputant lacks an independent view, her judgment may be discounted.¹⁶ Why? Because if the *only* reason why multiple people happen to disagree with you on some question is that they uncritically accept the view of some other person – whom they treat as a guru, let's suppose – who disagrees with you, then their beliefs do not seem to provide any *additional* evidence against your belief. And, more generally, the more someone accepts a belief out of pure deference, and the less she accepts it as a result of having thought through the arguments and evidence herself, the less her judgment counts as additional

you have strong reason to think they are reliable. But when you are highly justifiably confident in your own judgment, you will be entitled to reduce the weighting accorded to each individual disputant in the group, so it is not as though your own judgment is by any means *immediately* swamped.

¹⁶ I owe the point made in this paragraph almost entirely to Thomas Kelly (2010: 146-150).

evidence beyond that of the judgment of the one to whom she defers. This will, I hope, help assuage the worry that group disagreement could quickly become threatening to an implausibly high degree simply because masses of people accept some crazy view uncritically just because someone else tells them to (as members of a cult might do, for instance).

6. Why This Makes Disagreement in Philosophy Significant

No doubt it can be challenged, but let us suppose that the arguments thus far are intuitively plausible, as I think they are, and so the Relative Weight View is correct. What follows from this concerning our philosophical views? I will next argue that most of us are not entitled to hold firm views about controversial philosophical questions. This does *not* amount to saying that we aren't entitled to hold views on *any* philosophical questions – I take it that, for instance, the existence of other minds is not widely disputed, and thus disagreement is not going to threaten a belief in them. And each of us may have particular questions with respect to which we have relatively few peers. But there are no doubt a great number of interesting philosophical questions that remain hotly disputed (are free will and determinism compatible? can materialists believe in mental causation?), and my contention is that almost all of us will not remain justified in holding beliefs on most of them. My argument for this conclusion has two steps.

6.1 First Step: Evidence for the Epistemic Credentials of Other Philosophers

I believe that most of us ordinary philosophers have very good reasons to think that other philosophers have generally high relative epistemic credentials. More specifically, we have good reason to think that well-published philosophers have high epistemic credentials in their areas of expertise. This claim actually strikes me as sufficiently uncontroversial that it hardly needs defending, but I will say two brief things about it.

First, I think (and I assume most philosophers agree) that the standards of argument in philosophy are generally high, and that philosophy papers accepted for publication in major journals tend to be carefully argued, well researched, sensitive to obvious and important objections, and so forth. Thus there is good reason to think that someone who is well-published in major philosophy journals is typically a well-read, clearheaded thinker. Second, with work in philosophy becoming increasingly specialized, there is particularly good reason to think that people specializing in fields *outside* of one's own area of expertise have relatively high epistemic credentials. This is simply because they are probably more familiar with the major arguments for and against the going positions in those fields.

These points notwithstanding, it may be objected that just because we have reason to think that philosophers are *pretty good*, in their areas of focus, that doesn't automatically mean that they are better than *everyone*. I entirely agree, but I doubt that this is terribly relevant. It is entirely possible, and may be actual, that some people (philosophers and/or non-philosophers) are sufficiently clear thinkers who are sufficiently familiar with a wide range of philosophical issues that even most specialists are still to a fair extent their epistemic inferiors, even in the specialists' own areas of focus. David Lewis may have been a recent example, in fact.¹⁷ However, I very much doubt that there are many such people. I also think that this is especially important in philosophy because one's reasons for holding a particular philosophical view rather than another often ultimately bottom out simply in intuitions, or in what "seems most plausible" to one. And though once again there certainly could be (and may in fact be) people with especially reliable intuitions, or at least people who are particularly good at discerning which intuitions are especially indicative of truth, and which are not, I do not think this applies to most

¹⁷ I owe this suggestion to Bryan Frances (2010).

of us. At any rate, I know from my own fallible track record that intuitions that once struck me as very firm have later been revealed to me to be confused, and I do not think that, overall, my intuitions are more reliable than those of well-published philosophers. I also doubt that I am wildly unusual in that respect. So in the end I think it is appropriate to conclude that, for most us ordinary philosophers, most reputed philosophers are probably at least our peers, and probably to some degree our superiors, in the areas in which they specialize.

6.2 Second Step: Applying the Relative Weight View to Philosophical Disagreement

The implications of this are then quite easy to draw, if the Relative Weight View is true: if the experts in a particular philosophical field are largely divided on a question, then, essentially regardless of what your disagreement-independent belief about the matter is, you should tend toward agnosticism, unless you have good reason to think that your epistemic credentials surpass those of the accepted experts on the question at issue. This is simply because the overall numbers will tend to swamp whatever your particular judgment is, as your belief will be weighted against so many others. Of course, when the experts tend to *agree* about some question, this will tend to give you good reason to hold that judgment as well. But when opinion is split, this does not provide license for taking either side: it requires being agnostic.

That is, of course, unless one is among the experts oneself. In that case, disagreement with other experts may still require one to defer *some*, but as the number of people with comparative epistemic credentials who disagree with one decreases, the Relative Weight View allows for less and less adjustment. Note that this means that Relative Weight View need not entail that the average philosopher need tend toward agnosticism in *all* her beliefs. As philosophy continues to trend toward greater and greater specialization, it becomes increasingly likely that average philosophers will have some particular questions about which the number of

persons who disagree with them, and have high relative epistemic credentials, is limited.

In light of the considerations adduced, this strikes me as the right answer. I recognize that many will find this counterintuitive, and will suspect that we are entitled to hold onto many views in philosophy, but if many other people whom one has very good reason to trust have thought hard about these issues and disagree with one's view, why should that not be strong evidence against it? Perhaps it will be added that philosophy is very hard, and so one has more reason to think that others will have made mistakes. I absolutely think that is true, but it seems to me to tell equally in favor of taking a somewhat tentative attitude toward one's own philosophical views. So I accept that considerable philosophical skepticism is the reasonable view.

7. Objections and Replies

In this (long) final section, I discuss four major objections (in some cases, families of objection) to my Relative Weight View.

7.1 Objection #1: The View is Too Concessive

Particularly in light of the practical conclusion concerning philosophical beliefs discussed in the previous section, many readers will find that the view requires too much deference owing to disagreement. This concern may take a variety of forms.

7.1.1 Just Too Concessive

Perhaps the most basic form is this: the view is just too concessive! One might simply think that it is clear that we are justified in holding firm beliefs on controversial matters in philosophy and elsewhere because it would just be too revisionary to deny this. However, I cannot see what the argument for this is supposed to be. It is not inappropriate to be revisionary

when one has a good reason for doing so. And in the case of belief about difficult and disputed questions, I have argued that we have such a good reason: namely, our (fallible) track records compared to others'. I have allowed that *sometimes* one is entitled to remain firm in the face of disagreement, when one is very justifiably confident that one's judgment is the correct response to the evidence, but only when one's evidence for the comparative epistemic credentials of one's disputant is somewhat lacking. I claim that disagreement with a (rough) epistemic peer or superior is generally a powerful source of second-order evidence that the first-order evidence does not indicate what one thought it did. It is possible that one has very few peers, of course, but those of us who have past track records no more impressive than others with whom we disagree should not believe that we do. Finally, with respect to our judgments about particularly difficult questions (such as philosophical ones), it is true that the harder a question is, the more likely other smart people are to be wrong about it. But, as I said a moment ago, it is also true that the harder the question, the more likely one is to be wrong oneself.

7.1.2 *Impractically Concessive*

One might instead think that adoption of such a view would put an end to all academic progress, as most of us would be forced to retreat to agnosticism on most interesting questions, and thus would not push us toward convergence which might otherwise have occurred on truths that are not yet widely acknowledged. This is not a plausible view, however. The Relative Weight View is a view about the *epistemically* appropriate response to disagreement. It is not a view about how people *do*, in fact, respond to disagreement, nor is it a view about how people should, *all things considered*, respond to disagreement. There might be reasons for ignoring it,

or acting as if it is false.¹⁸ And, as Bryan Frances has noted, there are no obvious reasons to think that philosophers and other researchers cannot continue to explore the various strengths, weaknesses, and commitments of various views without necessarily being confident that they are true.¹⁹

7.1.3 Kelly: *Potential Disagreement is All that Matters*

Thomas Kelly once defended an extremely resilient view on disagreement, what he called the Right Reasons View, according to which it is a mistake to give any additional epistemic weight to *actual* disagreement; all that matters is the *potential* for reasonable disagreement.²⁰ On this view, if you hold credence *c* toward proposition *p*, you should sometimes alter *c* when people disagree with you, but not *because* they disagree you. You should alter *c* if it is *possible* for someone *reasonably* to disagree with you. If this view is correct, then obviously the Relative Weight View is overly concessive in placing too much emphasis on actual numbers of people who disagree.

Kelly motivates this view by noting that the actual presence or absence of disagreement over a particular proposition could be due to epistemically irrelevant factors. For example, there could be a proposition that no one disputes because a despot exterminates anyone who does. Since this is the case, you simply should determine whether or not any disagreement that you encounter to a belief you hold is reasonable. If it is, then you should defer, but only because the

¹⁸ Compare what many consequentialists say about the proper normative ethical theory. Christensen (2007: 215) also flirts with this possibility, as he thinks that academic progress might require people to fully believe the (highly disputed) positions they defend in print. I'm dubious about this but, if it's true, and if a sufficient case can be made for the importance of academic progress, then one might have grounds to engage in epistemically irresponsible behavior (like, for instance, trying to convince oneself that the right view on disagreement is false). That is a result that in principle I could accept.

¹⁹ Frances (2010: 428-429).

²⁰ Kelly (2005: 181ff.). In fairness to Kelly, I take it he no longer holds this view. But the argument discussed in this section is still, I think, worth refuting.

grounds on which you held your belief are not (you now recognize) conclusive. And if the disagreement is not, in your judgment, reasonable, then you should simply ignore it.

I concede that there is some initial appeal to this thought, but ultimately it is flawed. Kelly's argument in fact only supports the conclusion that *if* one were in a position to justifiably assess whether one's views are subject to reasonable disagreement, then actual disagreement would not be epistemically significant. And (probably all, but at least almost all) actual people are certainly far from such a position; we are all epistemically flawed agents who simply do not know whether many of our beliefs may be reasonably challenged. Crucially, often the best evidence available that our beliefs may be reasonably questioned is that they *are* questioned by others that we take to be reasonable people.²¹ This does of course allow that an instance of actual disagreement could misleadingly force one to abandon a true, justified belief because one disagrees with (someone taken to be) a peer or superior who in fact holds her belief, in this case, for epistemically irresponsible reasons. But that would simply be an instance of the entirely ordinary phenomenon that there can be misleading evidence. Indeed, what would be bizarre, I think, would be to insist that because something is misleading, it can't be evidence, or that such a principle would hold only for certain *types* of evidence. For comparison, it would be quite odd to say that your seeing a cleverly painted mule in a zoo cage cannot supply you with (misleading) evidence that there is a zebra in the cage. Yet that is effectively what the (old) Kelly view does with actual disagreement.

7.1.4 Enoch: Improperly Rejecting the First-Person Standpoint

A different sort of objection to the Relative Weight View might be inspired by Enoch's case against extremely concessive views on peer disagreement. Enoch claims that concessive

²¹ A very similar criticism of the Kelly (2005) view is made by Enoch. See Enoch (2010: 966-967).

views which model how one should respond to disagreement on how it would be correct to respond to disagreement between two *third parties* are deeply flawed in that they fail to account for what Enoch calls the “ineliminability of the first-person perspective.”²² And since the Relative Weight View *does*, to some extent, model how one should respond to disagreement in such a way – I explicitly noted, for instance, that that is an attraction of the Simple Concessive View, and the Relative Weight View is effectively just the Simple Concessive View modified in order to account for the fact that when you are very justifiably confident in your judgment, you should defer less – this might be thought to present a problem for me. However, I think that we can see that either the Relative Weight View is already sufficiently resilient that Enoch’s worry does not apply, or else that Enoch’s objection is not decisive.

Enoch’s view, in a sentence, is that you should not treat yourself “*merely* as a truthometer.”²³ As its name implies, a truthometer is essentially a truth-detecting instrument. Enoch agrees that when you assess what to believe when two *third parties* disagree over a question – and, importantly, their beliefs are the only evidence you have which bears on the question – then you should decide what to believe by treating the other persons as truthometers (some you will think are more reliable than others, and will accordingly weight them more heavily). But you shouldn’t treat your own judgment that way.

One reason you shouldn’t do so is that you *can’t*. Enoch writes, “You cannot treat yourself as just one truthometer among many, because even if you decide to do so, it will be very

²² Enoch (2010: 961). I should be clear that Enoch presents this as a challenge only to a particular view on peer disagreement that is even more concessive than the Relative Weight View. But in this section I consider how one might attempt to extend Enoch’s critique into a critique of my view.

²³ Ibid, emphasis original.

much you—the full, not merely the one-truthometer-among-many, you—who so decides.”²⁴

That is, any decision about how to weight your judgment compared to the judgments of others will necessarily be a decision *you* make – not a decision arrived at by averaging others’ judgments about your epistemic credentials as compared to theirs.²⁵ It is impossible to treat yourself as a truthometer “all the way down,” so to speak.

However, that is not the only sense in which Enoch suggests that you shouldn’t treat yourself merely as a truthometer, for he also says that you cannot even treat your “full-blooded belief” in a *particular* disputed proposition as just one truthometer reading among others, to be assessed as if from the perspective of a third party. He writes,

Once you reflect on a question, asking yourself, as it were, what is the truth of the matter, and so what is to be believed – once the believing self is fully engaged – you can no longer eliminate yourself and your reflection in the way apparently called for by the truthometer view.²⁶

I have to confess that I am not sure what Enoch is saying here. I entirely agree with him that you cannot treat yourself as a truthometer “all the way down,” but it does not follow from that alone that you can’t treat an individual belief as a truthometer reading, so in the quoted passage he must be saying something stronger. One way of reading the passage is as saying that you cannot *automatically* or *unreflectively* treat your belief about a particular question as a truthometer reading. That seems to me to be true, because – as the Relative Weight View says – you should consider your confidence in your disputed judgment, and in your assessment of your

²⁴ Ibid: 962.

²⁵ I suppose extremely weird cases can be envisioned in which you do evaluate your relative epistemic credentials in such a way, but even in those cases you yourself would have to have made a *second-order* judgment concerning the degree to which your disputants’ judgments concerning your epistemic credentials are to be weighed.

²⁶ Ibid: 963.

disputant's credentials in determining the degree to which you should weight your judgment as compared to the judgments of others.

However, note that it is fully compatible with accepting this to hold that *after* determining that a particular "full-blooded" belief is held significantly less confidently than another belief one holds concerning the epistemic credentials of a peer, one should take a third-person perspective toward one's belief, and simply "split the difference" with one's peer. So actually I do not think that is all that Enoch can mean (and why I'm not sure quite what he does mean). Moreover, in making his case, Enoch emphasizes that there is a relevant distinction to be drawn here between "full-blooded beliefs" and what he calls "mere seemings," in that it is often appropriate to take a third-person perspective toward one's "mere seemings" that it is not appropriate to take toward one's full-blooded beliefs.²⁷ So Enoch must think that it is something about one's "full-blooded beliefs" *in particular* that makes it wrong to treat them like truthometer readings. And this seems to me doubly mistaken. First, even with respect to a mere seeming – Enoch's example here is that one bowl of water just seems warmer to me than another, when I briefly dip my finger in it – it is *not* appropriate to take an *entirely* unreflective third-person perspective on its epistemic weight, as compared to the mere seemings of others. For suppose your "mere seeming" conflicts with mine, but I know that you have lost most of the nerve endings in your hands. Then clearly I should weight your seeming less. This suggests, however, that in all cases I need to give at least *some* thought to how much weight your "mere seeming" should get as compared to mine – I just should quite often weight them equally. Second, many of one's full-blooded beliefs, especially in philosophy, are primarily based upon

²⁷ Ibid: 962.

intuitions which certainly seem (no pun intended) to be token mere seemings.²⁸ Hence, whatever sense it is in which a third-person perspective can be taken toward seemings, it can, I submit, at least in many cases be taken toward one's grounds for holding a (presumably full-blooded) philosophical belief. And if can be taken toward those grounds, I cannot see why it could not be taken toward the beliefs themselves. So I simply cannot see any important sense in which one's own mere seemings can be weighted as if from a detached, third-person perspective, but one's beliefs can't be. Again, this is not to say that one can do so entirely unreflectively, but having already (reflectively) determined that the belief of another is epistemically weighty, one can weigh a particular full-blooded, first-order belief from a third-person perspective, as one weighs a truthometer reading.

One additional point before finishing with this potential objection: While Enoch's arguments clearly and accurately bring out the fact that some degree of self-trust is required in order to believe anything, there are reasons which are ultimately grounded in self-trust for trusting the judgments of others, and a necessary commitment to self-trust is not incompatible with local self-doubt. If I have seen you make various judgments in the past which, as I judge, are correct, then I have reasons grounded in self-trust to trust you, at least within the domain of those judgments. And if I have made judgments in the past which, as I now judge, were incorrect, then I have self-trust grounded reasons for some degree of self-doubt, at least about particular judgments in domains where I know I have made mistakes.

Moral: there are two ways of reading Enoch's challenge to concessive views. On one reading, he raises an important insight into a way in which a view can be too concessive, but that

²⁸ Enoch generously conceded this point to me in conversation.

insight is already accommodated by the Relative Weight View. And on the other reading, his challenge is unsuccessful.

7.1.5 Practically Irrelevant: Our Relative Epistemic Credentials are Always Strong

Next, one might object that although the Relative Weight View is technically true, it is largely practically irrelevant, and that I have incorrectly implied that we should in fact often defer in the face of disagreement. One might contend this because one might believe that we simply are quite often much more justifiably confident that our beliefs are the proper response to the available evidence than that others have reasonably high relative epistemic credentials. I do not really have much to say in response to this objection that I have not said already, but I think it is pretty clearly false. Our reasons for thinking that others have high relative epistemic credentials are that, first, we have seen that they have been right often in the past, and, second, we now acknowledge that we have often been wrong in the past, even when we thought we were right. And I once again openly acknowledge that someone who has not had this experience is not required to defer in the face of disagreement.

I suppose one might try to press this point just a bit differently by saying that while disagreement may be epistemically important in cases like Enoch's water temperature case, it will rarely be epistemically important in cases of disagreement over specific or technical propositions like those which tend to be the contents of philosophical theses. One might contend, for instance, that philosophical beliefs are often based upon a wide variety of specific, technical considerations, and that it will almost never be true that others have taken into account exactly the same set of considerations that one has in forming a philosophical belief. Frances, for instance, argues along these lines that we actually have no *true* peers in philosophy.²⁹

²⁹ Frances (2010: 424).

However, this involves employing a different and (I think) much less useful conception of what a “peer” is. As I am using the term, a peer (with respect to some domain of inquiry) is simply someone who is as likely to be right about some disputed issue as one is, and the fact that someone has read many of the same things that one has, been to the same conferences, thought about the same arguments, etc. is very good *evidence* that she is a peer, but not what *makes* her one. And although I think that in philosophy (and elsewhere) epistemic credentials are to some degree domain-specific, I deny that they are as domain-specific as they would have to be for the current objection to carry much weight. Someone whose track record on philosophical judgments is (as I judge) pretty good, and who has read most of the main works which I have which inform my views about some question is someone whose epistemic credentials I should respect. Not enough that I have to defer substantially to her in *all* cases, of course – but enough that disagreement matters pretty substantially in philosophy.

7.1.6 What about Agreement?

Finally, one might object that the view is too concessive in only holding that disagreement can require that we defer in our judgments, and not laying out a counterbalancing role for agreement. However, this would be a mistake: the view *does* account for agreement. Since the theory of group disagreement weights the judgments of all parties to the dispute, when another person(s) hold(s) the same credence as you do in a case of group disagreement, this will have the effect that the credence you are ultimately justified in holding will be closer to the one you held beforehand.

7.2 Objection #2: The View is Too Resilient

So much for objections to the view on the grounds that it is too concessive. The view

will also be attacked by those with strongly concessive intuitions – although such people will mostly be philosophers, and this will be much more of a minority objection.

7.2.1 Elga: Disagreement-Based Demotion and Bootstrapping

Adam Elga offers an interesting argument against the view that disagreement itself can constitute legitimate grounds for “demotion” of a disputant’s epistemic credentials, and thus for the strongly concessive view that *no* amount of disagreement can be grounds for lowering the assessed epistemic credentials of another (part of his Equal Weight View). According to Elga, no view that allows this could possibly be correct, because any such view allows for objectionable “bootstrapping.” More specifically, Elga claims that such views make it much too easy to gain evidence that other people are your epistemic inferiors: you could simply observe that they disagree with you, and then be justified in assessing their epistemic credentials as worse than yours. This is unacceptable, according to Elga, because you could be justified in doing this *whatever* you happen to believe, regardless of whether it is true.³⁰

However, Elga’s argument is unsuccessful, for two reasons. The first reason derives from the fact that *some* bootstrapping in epistemology *must* be reasonable. We have already seen the reason for this in chapter three, in considering basic belief-forming processes: we must be able to employ certain belief-forming processes without first confirming that they produce justified beliefs, or an infinite regress makes all knowledge impossible.³¹

Secondly, Elga is wrong that you may bootstrap your way into being justified in taking other people who disagree with you to be your epistemic inferiors, whatever you believe. This is because it depends entirely on whether you are justified in holding the first-order beliefs on the

³⁰ Elga (2007: 486-488).

³¹ This point is not new. It was explicitly recognized by Descartes (1641/1996: 69), and Enoch (20: 992) also makes it in the context of critiquing the Equal Weight View.

basis of which you judge other people – upon encountering disagreement with them – to be your inferiors. If you are justified in holding those first-order beliefs, then you’ll be justified in holding the beliefs about the epistemic credentials of others as well. But if you aren’t, then you won’t be. This response to Elga might at first seem like cheating, and/or like it is smuggling in an implausibly “externalist” epistemic commitment, but it isn’t, because there will always be things that logically follow from things that you believe that you will be justified in believing only if you are justified in holding the original belief. For instance, if you are justified in believing p , you’ll also be justified in believing $p \vee q$, for many q about which you know next to nothing. But if you aren’t justified in believing p ...

Moral: it is not true that the “no demoting merely on the basis of disagreement” principle must be accepted on pain of objectionable bootstrapping.

7.2.2 Christensen: Getting the Right Results without Disagreement-Based Demotion?

However, rejecting Elga’s bootstrapping argument is obviously not equivalent to providing a *positive* argument for the thesis that demoting on the basis of disagreement is permissible. Now I do think that such a positive argument can be given: it is simply that reflection upon cases like the modified hiking case shows it to be correct. But David Christensen has recently effectively denied this, in the course of defending the following principle, which he calls “Independence”:

In evaluating the epistemic credentials of another’s expressed belief about P , in order to determine how (or whether) to modify my own belief about P , I should do so in a way that doesn’t rely on the reasoning behind my initial belief about P .³²

Christensen’s strategy is to attempt to show that Independence can be held consistently with the view that one should sometimes *end up* demoting a disputant after encountering disagreement,

³² Christensen (2011: 1).

and his trick is to argue that said demotion does not result *merely* from the fact that one's disputant believes what one takes to be false. Rather, according to Christensen, when you disagree with someone whose credentials you respect over a judgment about which you are very justifiably confident, it will be clear that "something strange is going on," – after all, when it is quite clear to you that something is true, it should be quite clear to other reasonable people as well – and it will almost always be more reasonable to think that something is wrong with your disputant than with yourself.

The reason why is easiest to see in one of Christensen's own examples: Suppose that you and a friend independently do a very simple math problem, each focusing hard on getting the right answer, but surprisingly arrive at different answers. Assuming neither of you is joking, you are each attending to it carefully, and the problem is sufficiently simple, that is bizarre. Indeed this is *so* puzzling, according to Christensen, that a truly wacky explanation will be required to account for it: against all appearances, someone must be really drunk and/or high, or must be horribly sleep deprived and literally unable to think clearly, or despite her efforts unable to wholly attend to the problem due to a presumed grave imminent threat upon her life...etc. Now Christensen grants that it *could* be you whose reasoning is compromised in one of these ways. However, he claims that you have good introspective evidence that you probably aren't – basically, you know via what is sometimes called "privileged access" whether you're feeling OK – and you *don't* have such evidence about your disputant. You do of course have *observational* evidence that everything appears to be normal with your friend too, but that isn't as strong or complete as your introspective evidence about yourself. So, you should conclude that your disputant isn't your peer here, and that you are right, *not* because of your own reasoning to your answer – or indeed even because of *what your answer is* – but instead because of the fact that the

mere existence of a disagreement shows that someone has got to be really screwed up here, and from your perspective it is more likely that it is your friend than that it is you.³³

I'll grant that this explanation may work. Still, I deny that in *all* cases of disagreement in which you may stick to your guns you will also be justified in concluding that something so bizarre must be going on. In particular, sometimes you will disagree with another person about many things, and your only evidence that he is a less reliable judge than you *is* that he holds lots of views that are (as you judge) false. Christensen attempts to undercut this by arguing that even in such cases something weird will be afoot. Here, he says the bizarre fact that needs explaining is that someone must be "horribly unreliable" about the disputed subject matter.³⁴ However, I think there are big problems with this move. First, it is far from clear that introspective evidence will entitle you to conclude that it is more likely that your disputant is the systematically confused individual rather than yourself. In the math case, introspection *can* (I'm allowing) provide relevant evidence that you probably aren't the one who is high, about to pass out, or whatever. But in the repeated disagreement case, it would have to provide evidence that you aren't the one with systematically misleading intuitions, and I can't see how it could tell you that without explicitly appealing to the consideration that the *content* of your intuitions is mostly true – and that blatantly violates Independence. Furthermore, the scenario need not be as dramatic as Christensen suggests, whereby someone is downright "horribly unreliable." Cases are easily envisioned in which your disputant is *pretty* reliable, but (as you judge), also pretty clearly not as reliable as you are. And then it will be particularly hard to see what introspective evidence could show that you are comparatively more reliable than your disputant that doesn't appeal to the content of your beliefs and/or reasoning. And then Christensen faces, I think, a dilemma: either

³³ Ibid: 8-11.

³⁴ Ibid: 12.

he will have to hold that you could *never* demote disputants on the basis of such disagreement – which is implausibly strong, in the same way that the “treat everyone like a peer unless you can see how her views are internally inconsistent and/or lack information” view is – or he must allow that sometimes the content of your views *is* the basis for demotion. Either option requires us to reject Independence.

7.2.3 Peer Assessment and Under-Adjusting for the Wrong Reasons

A final (largely technical) way I can see that the Relative Weight View could be deemed inappropriately resilient is the following: it will sometimes be true that one isn’t that justifiably confident in a *specific* assessment of the epistemic credentials of another, although that is pretty clearly not grounds for being *less* concessive. I have in mind the following sort of case:

Suppose that, if forced to give a precise number as to how likely I think it is that you would be right, in a given instance of disagreement, I would say 50%. However, I’m not very confident in that *exact* assessment, because I think you might also be 60% likely to be right, or 40% likely to be right...etc. Then it might be contended that I will generally be less confident in my judgment of your relative epistemic credentials than in the rationality of a disputed judgment.

The response to this objection is pretty obvious, though: One shouldn’t discriminate that finely in assessing one’s confidence in the relative epistemic credentials of a disputant. Rather, one should assess how confident one is that one’s disputant has credentials *roughly in the range* that one assesses her to have.

7.3 Objection #3: The “Uniqueness Thesis” is False

Some writers have challenged a key premise on which not only the Relative Weight View might seem to implicitly rely, but in fact on which a wide variety of views in the epistemology of disagreement seem to rely. This premise, often called the “Uniqueness Thesis,” is that for any

given proposition p and set of available evidence E , there is a *unique* doxastic attitude which it is appropriate to hold toward p . In a certain sense, the Uniqueness Thesis denies that there can be “reasonable disagreement,” because it posits that if two persons are exposed to the same evidence, and disagree, at least one of them must be, to at least some extent, epistemically unreasonable.

There are two sorts of argument with which I am familiar that attempt to refute the Uniqueness Thesis. One is a commonsense argument, and the other is a rather technical argument, developed in a recent paper by Nathan Ballantyne and E.J. Coffman. I will discuss these in turn.

7.3.1 Reasonable Disagreement Just Seems Possible

Here is the commonsensical potential objection to the Uniqueness Thesis: One can hold a certain credence c in a proposition p , but not think that others are unreasonable to hold different credences – especially different *but similar* credences.³⁵ My response is that I’m happy to concede the observation, but I deny that it is an argument against the Uniqueness Thesis. Reasonableness comes in degrees, and it is not the same thing to think that someone is *not being unreasonable* as it is to think that she is *being maximally reasonable*. What the Uniqueness Thesis should be read as saying is that there is one *ideally rational* credence to hold toward any given proposition, given a particular set of evidence, not that anyone who doesn’t hold that credence is being downright unreasonable.

Moreover, while it might be true that the Relative Weight View, to the letter, precisely as I have formulated it here, is committed to the Uniqueness Thesis, I think that the spirit of the view is not. As I mentioned above in a footnote, a largely concessive view like the Relative

³⁵ This sort of argument has been suggested by, for instance, Kelly. See Kelly (2010: 117-121).

Weight View does not become false or uninteresting even if there are *some* cases of disagreement in which neither party should defer. In fact, I think that there are such cases, because I allow that there may not be an intermediate state between any two doxastic states, and thus that two people who disagree in such a way that each is in one of two such states may have the sort of “reasonable disagreement” we are considering. However, these are cases in which the “disagreeing” parties are already extremely close to agreeing. What the Relative Weight View – and, I think, many other views on disagreement – is interestingly committed to, is that in cases in which disagreeing parties hold *substantially different* doxastic attitudes, it would not be entirely reasonable for both parties to “stick to their guns.” And I think that the denial of that is much less intuitively plausible than the claim that there can be *some* “reasonable disagreement.”

7.3.2 Ballantyne and Coffman: The Uniqueness Thesis is Unmotivated

A more sophisticated attack on the Uniqueness Thesis comes from Ballantyne and Coffman. They argue that the Uniqueness Thesis rules out some plausible and popular more general epistemic views about the nature of evidence, rationality, and justification. It is well beyond the scope of this chapter to go into these issues in the detail that Ballantyne and Coffman do, so I will simply concede their point.³⁶ They next argue that this ruling out of popular views constitutes a *prima facie* case against the Uniqueness Thesis, so it should not be accepted unless we have a good argument in its favor. And they argue that there is no good argument for it.

To Ballantyne and Coffman’s credit, this sort of burden-shifting argument appears to be

³⁶ An extremely brief summary: they note that the Uniqueness Thesis rules out all views according to which what evidence one has is determined wholly by one’s internal states, whereas what one is rationally justified in believing need not be (combinations of ‘evidence internalism’ with ‘rationality externalism’), as well as views according to which what one is rationally justified in believing is determined by one’s internal states, whereas what evidence one has need not be (combinations of ‘rationality internalism’ with ‘evidence externalism’). But they also show that it rules out *some* of the possible ‘internalist/internalist’ evidence/rationality bundles, and some of the ‘externalist/externalist’ bundles.

particularly potent given the context. Some might be initially tempted to respond to the argument simply by asking: “So what if the Uniqueness Thesis rules out a variety of popular views...can’t I just reject those views?” However, someone who holds a concessive view on disagreement is not entitled to do that, for her view gives her some reason *not* to reject views that are popular among thoughtful philosophers specializing in epistemology (more on this in §7.4 below).

Nonetheless, I think their argument is unsuccessful, because we *do* have a good argument for the Uniqueness Thesis, which is provided by Roger White. White’s argument, in a nutshell, is that if the Uniqueness Thesis is interestingly false, it will sometimes be rational to be in a doxastic state D_1 , even though one’s being in D_1 rather than another quite different state D_2 is, by one’s own acknowledgment, problematically arbitrary.³⁷ But it cannot be rational to be in such a doxastic state for arbitrary reasons, so the Uniqueness Thesis cannot be interestingly false.

Ballantyne and Coffman reject White’s argument. To see how, let us reconstruct it. In this reconstruction, I follow Ballantyne and Coffman in employing the concept of “permissive evidence,” which is evidence that rationalizes either of two quite different doxastic states. This is because denying the Uniqueness Thesis is equivalent to accepting the statement that some permissive evidence exists.³⁸

- 1) If agent A is in doxastic state D_1 based on evidence set E , and comes to believe that E is permissive evidence, then A believes that it is possible that she rationally bases a quite different doxastic state D_2 on E . (Definition)

³⁷ See White (2005: 449).

³⁸ I should be clear that the argument does not appear in precisely this form in either White’s paper or Ballantyne and Coffman’s. However, I think it is a faithful rendering of White’s (persuasive) argument, and I think it is laid out in such a way as to make it easy to state precisely why Ballantyne and Coffman think that White’s argument fails.

- 2) If A thinks it is possible that she rationally bases a quite different doxastic state D_2 on E , then A should think D_1 was formed in a way no more likely to yield a correct doxastic state than arbitrarily choosing between two quite different states, by, for instance, just flipping a coin. (Premise)
- 3) Therefore, if agent A is in doxastic state D_1 based on evidence set E , and comes to believe that E is permissive evidence, then A should think D_1 was formed in a way no more likely to yield a correct doxastic state than arbitrarily choosing between two quite different states. (Follows from 1) and 2))
- 4) If A should think D_1 was formed in a way no more likely to yield a correct doxastic state than arbitrarily choosing between two quite different doxastic states, then D_1 is irrational. (Premise)
- 5) Therefore, if A comes to believe that D_1 is based on permissive evidence, then D_1 is irrational. (Follows from 3) and 4))
- 6) It cannot be rational for any agent to base any doxastic state on permissive evidence simply because she does not *know* that her evidence is permissive. (Premise)
- 7) Therefore, it is not possible for any agent A rationally to be in any doxastic state D on the basis of permissive evidence. (Follows from 5) and 6))

This argument is valid, and can only be denied by rejecting one of premises 2), 4), or 6).

Denying 4) strikes me as very implausible. It simply says that for it to make epistemic sense to be in a particular doxastic state rather than another, one must have non-arbitrary reasons for it.³⁹

I also think that 6) cannot plausibly be denied. Here is why: Suppose that A holds a doxastic attitude that is rational for her given her evidence E . Since that state is rational, it will also be

³⁹ The example of choosing what to believe by just flipping a coin is White's. He agrees that believing something on permissive evidence would be arbitrary in the same way.

rational for A to be in it given evidence set E' , which consists of E plus the facts about what doxastic state(s) E rationalizes. In other words, since A 's doxastic state *is* rational (given her evidence), she can rationally continue to be in it upon gaining the information *that* it is rational (given her evidence). Now, suppose an agent B discovers that given evidence set F' , which consists of his “first-order” evidence F , plus the facts about which doxastic state(s) F rationalizes, a doxastic state that he holds is irrational. Then that state can't be rational on the basis of F alone either, because if it were, it would still be rational on the basis of F' .

In any case, Ballantyne and Coffman also grant both 4) and 6). Instead, they reject 2). Essentially, they agree that arbitrary beliefs are irrational, but deny that beliefs based on permissive evidence must be problematically arbitrary. They make their case in two steps. First, they contend that any defense of 2) will implicitly rely on a principle which they call “Conditional”:

[I]f you think it's possible that [evidence set] E rationalizes a different attitude to [proposition] p than the one you take to p on E , then you should think E doesn't support your attitude to p any better than it supports the other attitude.⁴⁰

Second, they provide what they call a “general recipe” for creating counterexamples to Conditional:

Begin with a possible thinker who accepts an approach to rationality that allows something other than one's evidence all by itself to help determine which attitudes are rational for one. Then...though [she] judges that her evidence could rationalize different attitudes from those she actually takes, she shouldn't deny that her actual attitudes are in fact better supported by her evidence than the alternative attitudes....Because she knows (or at least reasonably thinks) her evidence has the “extra-evidential” features she regards as sufficient to rationalize her actual attitudes (as opposed to the alternatives that she thinks her evidence would rationalize were different extra-evidential factors in play).⁴¹

⁴⁰ Ballantyne and Coffman (2011: 10).

⁴¹ Ibid: 12.

The suggestion here is that the correct view of epistemic rationality might allow that one's evidence *alone* does not fix what doxastic states it is rational for one to hold: there could be "extra-evidential" features that matter. But if so, then it is surely *possible* in some cases that one's extra-evidential features could have been different, and thus that it could have been rational for one to hold a different attitude, even if *actually* one's doxastic attitude is entirely justified – and one knows that.

Here is one of Ballantyne and Coffman's examples: Imagine a case in which an individual believes that extra-evidential facts about his "proper functioning" in some way determine which doxastic attitudes are rational for him, but also reasonably believes that it is possible that his proper functioning could have been different – as they put it, he believes that he could have had a different "design plan" – in which case it could have been rational for him to hold different doxastic attitudes given the same evidence.⁴² That does not seem to undercut the fact that that, given his *actual* design plan, his doxastic attitudes may be rational for him.

Assuming that any such "extra-evidential" accounts of epistemic rationality are independently plausible, I agree that this disproves Conditional, 2), and, by extension, the formulation of White's argument under consideration. However, I do not think that we need an argument as strong as the one given in my reconstruction in order to have a defense of an interesting version of the Uniqueness Thesis.

To begin with, some possible "extra-evidential" factors just *aren't* plausibly relevant to epistemic justification. For instance, it isn't plausible that it is rational to continue to believe something just because one already believes it, if one also recognizes that it was purely arbitrary that one initially came to believe it, rather than something else. For in that case one is in all

⁴² Ibid: 11.

relevant respects like someone who holds a belief on the basis of a coin flip that happened in the past, and if it is irrational to decide what to believe based on a process as arbitrary as a coin flip, it is also irrational to continue to believe something which one recognizes resulted from a process as arbitrary as a coin flip. So in order for actual extra-evidential factors about oneself to rationalize a certain doxastic state, those factors themselves must be in an important sense non-arbitrary.

Now, I will grant for the moment that there might be some extra-evidential factors which are not deeply arbitrary which could help to rationalize certain doxastic states (although in fact I doubt this, for the reasons adduced in the previous paragraph). However, the less arbitrary such factors are, the less *relevant* they will become to actual cases of disagreement, and it is of course in the context of disagreement that we are interested in the Uniqueness Thesis in the first place. What we are interested in, specifically, is whether two persons can rationally hold significantly different doxastic states in response to the same evidence, such that neither is rationally required to defer at all toward the other's judgment.⁴³ And so if the Uniqueness Thesis is to be interestingly false, the extra-evidential factors that partly determine which doxastic states are rational for individuals, given particular bodies of evidence, will have to be such that they could be *different* for two individuals who find themselves in the kind of everyday disagreement that we are interested in. And *that* is not very plausible. To see why, let us revisit Ballantyne and Coffman's example of the individual who could possibly have had a different "design plan." I take it that this individual's evidence is supposed to be permissive insofar as it could possibly have rationalized a different doxastic state than the one it in fact rationalizes if the individual had a different teleology (or something along those lines). But our everyday disagreements are not

⁴³ And for the record, Ballantyne and Coffman also seem to acknowledge that this is largely why the Uniqueness Thesis is worth looking at. See *Ibid.* 1.

with persons who have different teleologies – they are with other people who are very much like ourselves. And if we hold such non-arbitrary extra-evidential factors as people’s “design plans” fixed, then there *will* only be one doxastic state which is will be rational for them to hold, given their evidence. For all relevant purposes, then, the Uniqueness Thesis will be true.

To sum up, let us say that what defenders of concessive views on disagreement should be worried about is what we might call “deeply permissive evidence”: evidence that possibly rationalizes multiple significantly different doxastic attitudes for agents, *who are not deeply different from ourselves and the people that we find ourselves in interesting disagreements with*. And we can modify our reconstruction of White’s argument to show that there is no such evidence, by replacing 2) with the weaker 2*), which relies only on Conditional*:

2*) If *A* thinks it is possible that she rationally bases a quite different doxastic state D_2 on *E*, *holding fixed all deep about herself*, then *A* should think D_1 was formed in a way no more likely to yield a correct doxastic state than is arbitrarily choosing between two quite different states. (Premise)

Conditional*: [I]f you think it’s possible, *holding fixed all deep facts about yourself*, that [evidence set] *E* rationalizes a different attitude to [proposition] *p* than the one you take to *p* on *E*, then you should think *E* doesn’t support your attitude to *p* any better than it supports the other attitude.

And for the argument to remain valid, we would also need to replace (1) with (1*):

1*) If agent *A* is in doxastic state D_1 based on evidence set *E*, and comes to believe that *E* is permissive evidence, then *A* believes that it is possible that, without altering deep facts about herself, she rationally bases a quite different doxastic state D_2 on *E*.

Of course, this modified argument does not even purport to defend an extremely counterfactually robust version of the Uniqueness Thesis, as it allows that some evidence could be permissive, if deep facts about agents were to change. And thus, in the context of disagreement, it should be conceded that if one disagrees with a person who is different in an important deep way, *and if this difference is not arbitrary from the epistemic perspective*, then perhaps it would be perfectly reasonable for one not to concede at all. But since there are very few (if any) such cases, an extremely counterfactually robust version of the Uniqueness Thesis is not really relevant to the truth of concessive views on disagreement, for precisely the reasons that White gives.

7.4 Objection #4: Disagreement Principles are Self-Undermining

This brings us finally to perhaps the most troubling objection to the Relative Weight View, and indeed to almost all views in the epistemology of disagreement. The objection is this: there is disagreement within the epistemology of disagreement, and thus it looks like any view that is even moderately concessive will likely call for one to be agnostic concerning its truth. Thus, a view like the Relative Weight View cannot be coherently accepted. Moreover, the Relative Weight View may even issue contradictory commands. This is the so-called self-undermining problem.

Let me first try to bring out the full force of the worry. Suppose that I (who hold the Relative Weight View) find that respected epistemologists who read about the Relative Weight View generally reject it. Then according to the view I should no longer believe it. But then what does the view say that I should do when I next encounter a case of disagreement? Doesn't the view still tell me that I should adjust my credence in the way it calls for, even though I should

believe that I shouldn't do so? And if that is not a contradiction, it is at least something close (Mike Titelbaum argues that it is a kind of *akrasia*).⁴⁴

As far as I can tell, there are three possible responses here – and I admit up front that none of them is entirely satisfying. The first reply involves slightly modifying the Relative Weight View, such that that while the self-undermining problem may entail that the Relative Weight View cannot rationally be believed, it does not issue contradictory advice, or demand *akrasia*. To do this, one should say that if following the Relative Weight View correctly causes one to accept a view on disagreement that is not the Relative Weight View, then one should follow that view. In that case, I think the view would only *contingently* self-undermine, and, thus could be true and believed (in many circumstances), even if it could be true that some people should not abide it. That is not an entirely happy solution, but for reasons I will now explain, it may be the best available.

A second, contrasting possibility would be to deny that concessive views on disagreement do, in fact, call for their own rejection, because their call for conciliation should not be completely *general*. In particular, they should not apply to themselves. But the problem with taking this line is that it seems utterly *ad hoc*. If I ought to adjust my beliefs in case of disagreement about anything else, then why shouldn't I do so in case of disagreement about disagreement? However, Elga has recently attempted to defend concessive views against this charge. He claims that because it is in the very nature of giving advice on *anything* that one present one's advice as the right advice, there must be a general constraint against being self-undermining in issuing advice, and this constraint must apply to theses about the way to respond to disagreement as well (since these are a kind of recommendation for what to do).

⁴⁴ Titelbaum (MS).

Elga illustrates this with an example involving the magazine *Consumer Reports* (which issues recommendations about which products consumers should buy). He asks whether the editors of *Consumer Reports* should consider, in addition to ranking various products, ranking magazines that rank products. And he says that the editors should refuse to do so, and instructs that if asked to do so, they should say “To put forward our recommendations about [products] *is* to put them forward as good recommendations. And we cannot consistently do that while also claiming that contrary recommendations are superior.”⁴⁵

The problem with this example is that it presupposes that the editors of *Consumer Reports* should keep issuing product recommendations different from their competitors *at all*, even if they acknowledged that a rival magazine did a better job. Plausibly they shouldn’t.⁴⁶ Indeed, this may help us see why I advocated the solution I did above.

The final possibility is simply to tackle the putative self-undermining head-on by denying that existing disagreement *does* undermine it. One way this might be true is that some people who believe the Relative Weight View might be so justifiably confident that it is true that they will always be comparatively much less convinced of the epistemic credentials of people who reject it, and so will hardly be moved at all to reduce their confidence in it in the face of disagreement. However, I also doubt that this will work. The reason I doubt this is simple: I am not that confident that the Relative Weight View (or even something extremely similar) is true, even though I am the one advocating it. It certainly does seem to me to me that the arguments in

⁴⁵ Elga (2010: 185).

⁴⁶ The issue here is muddled because *Consumer Reports* is of course just a magazine, and what its editors are supposed to be primarily concerned to do is keep publishing and selling magazines. So in *that* sense they “should” of course keep giving recommendations, as the magazine would stop existing if they didn’t. But that doesn’t mean that what they do is *epistemically* appropriate.

favor of it are compelling, but I also have considerable faith in the track records of epistemologists.

But another, perhaps more optimistic, possibility is that we just have to take a wait-and-see attitude. Views in the epistemology of disagreement like the Relative Weight View are young, and if they are plausible then philosophers will (bracketing adjustments made for disagreement) come to accept views like them. I see no other way to avoid this consequence, and so accept that I could be in a world where misleading evidence would cause me to accept false views even about evidence itself. I conclude I simply hope we are not in such a world.

Chapter 5: The Best Argument from Disagreement

1. The Argument Outlined

We are now ready to put together the elements discussed in the previous three chapters in order to present what I take to be the best argument from disagreement against moral realism.

Before presenting the argument, let me very briefly recap the lessons of the previous three chapters. In chapter two, I contended that existing versions of the Abductive Argument are not successful because they have not identified a characteristic *C* which is likely possessed by moral disagreements, but not by paradigmatically factual disagreements. In chapter three, I contended that existing versions of the Epistemic Argument are incomplete in three ways: first, it is not clear that the sort of disagreement that they require in order to establish a conclusion of moral skepticism is genuinely possible; second, the epistemic principles implicitly appealed to by certain versions of the argument appear dubious; and, third, it is not clear how one is to move from whatever degree of moral skepticism they establish to the denial of moral realism. In chapter four, I defended the Relative Weight View, a partially concessive position in the epistemology of disagreement from which it follows that we should often substantially reduce our confidence in our non-indexical beliefs when we find that they are disputed by other philosophers – especially when those judgments are based solely on intuitions.

What I take to be the best argument from moral disagreement combines these various insights in two ways: first, it is an *abductive* argument according to which moral realism does not provide the best explanation of moral *epistemology*; second, it ultimately rejects moral skepticism, and thus indirectly moral realism, in part by appealing to the nature of *commitment to* our first-order moral judgments. Here, then, is my formulation of the Best Argument:

- 1) We hold many moral judgments about which, under the assumption that our moral judgments are non-indexical beliefs, two conditions are met: a) those judgments are disputed by a large number of people whose relative epistemic credentials, across a wide range of philosophical matters, *including ethics, if moral realism is true*, we have good evidence for taking to be fairly strong; b) our first-order evidence in favor of those judgments is not sufficiently strong that our relative confidence in disputant error should be high. (Premise)
- 2) When one's relative confidence in disputant error with respect to a disputed belief is not high when compared to the assessed relative epistemic credentials of one's disputant, and those credentials are fairly strong, one should significantly reduce one's confidence in the disputed belief. (Premise)
- 3) Therefore, if our moral judgments are non-indexical beliefs, then we epistemically ought to significantly reduce our confidence in many of them. (From 1) and 2))
- 4) But we judge that we ought *not* to significantly reduce our confidence in our disputed moral judgments. Rather, the normal call for conciliation in cases of disagreement over beliefs does not seem to us to apply. (Premise)
- 5) The best explanation of the combination of 3) and 4) is that many of our moral judgments are either not beliefs, or are indexical beliefs. (Abductive Inference)
- 6) If we have a strong reason to believe that many of our moral judgments are either not beliefs, or are indexical beliefs, then we have a strong reason to think that moral judgments *in general* are either not beliefs, or are indexical beliefs. (Premise)
- 7) Therefore, moral realism is implausible on this score. (From 7))

This argument obviously may be contested in several places. Since premise 2) is a straightforward consequence of the Relative Weight View that I presented in the previous chapter, I will not revisit my positive case for it here, and will discuss it only very briefly in considering a potential objection. I also take it that the move from 1) and 2) to 3) is secure. But this leaves premises 1), 4), and 6), as well as the abductive inference, to defend.

2. Defending Premise 1)

There are two main obstacles to arguing for premise 1). First, as we saw in chapter two, realists have gone to considerable lengths to argue that the amount of existing moral disagreement, at least among thoughtful people who are well-informed on the relevant non-moral matters, may be significantly exaggerated by many anti-realists. Second, even if a substantial amount of disagreement between the right sorts of people remains, the realist may hold that many of us do indeed have sufficient justification for our disputed judgments that our first-order evidence in favor of them is *not* particularly weak as compared to our evidence in favor of the epistemic credentials of those who disagree with us. So, my defense of premise 1) will proceed in two stages: First, I will provide a number of examples of moral issues that continue to be disputed, and second, I will argue that the evidence provided by disagreement in many of these cases *is* relatively strong as compared to whatever first-order evidence the realist may allege that we could have in favor of our disputed judgments.

2.1 Examples of Disputed Issues

For the sake of simplicity, the examples that I present in this section – and in the remainder of this chapter – will all involve disagreement among philosophers. This is certainly *not* because I think that the only informed, thoughtful people who dispute these issues are

philosophers. It is simply that disagreements among philosophers are those with which I am the most familiar, and I take it that philosophers are at least *prima facie* plausible candidates for the sorts of people we should see as at least roughly our epistemic peers. At any rate, by restricting the discussion to philosophers I only make it more difficult to show that there is enough disagreement of the right sort to make premise 1) of the Best Argument plausible, so proceeding in such a way cannot be objectionable.

Example #1: Vegetarianism/Veganism There is much disagreement among philosophers about whether eating meat and/or other animal products is morally permissible. Importantly, this disagreement remains among philosophers who are familiar with the basic empirical information that both sides take to be relevant to the debate, and who are familiar with the philosophical arguments that convince one of the parties to the debate. Many meat eaters, for instance, understand that vegetarians oppose eating meat because of the animal suffering that results from the actions of the mass meat industry, or because they believe that it is wrong to terminate the life of a sentient creature, even painlessly, for the small health and happiness benefit that results from eating meat and/or other animal products as compared to maintaining a vegetarian or vegan diet. And conversely, many vegetarians understand that informed meat eaters think that animal lives matter less than human lives, and that even if eating meat is not saintly, morality is not sufficiently demanding as to make an absolute vegetarian diet obligatory, particularly given that one individual's going vegetarian will probably have little to no impact on the meat industry as a whole. The issue, it seems to me, is that these parties are simply disagreed as to how powerful the arguments against eating meat are; vegetarians find them conclusive, while meat eaters do

not. And, of course, a similar debate holds between vegans and lacto-ovo vegetarians.¹

Example #2: Charity Philosophers are also widely divided on the extent to which we are morally obligated to use our extra income to support charities that combat poverty-related suffering in developing nations. Once again, such disagreement often persists between persons who are aware of the relevant facts about the extent of suffering, and of the basic philosophical arguments in favor of giving and in defense of the moral right to do with one's income as one pleases, and who have taken time to think the matter through. It is simply that some of them judge that such strong reasons are given by the suffering of people through no fault of their own (especially children) that extremely large self-sacrifice is morally required, whereas others judge that people are entitled to dedicate significant resources to making themselves or their loved ones happy, and that morality does not demand extreme self-sacrifice of people.²

Example #3: Torture Another example is the use of torture as a last resort to prevent some very great harm. Many philosophers hold, for instance, that torture of captured al-Qaida operatives may be justified if it is the only way to gain information which is likely to save large numbers of innocent lives in the future, whereas many others hold that such intentionally dehumanizing treatment of other persons is never morally permissible. As in the previous cases, this seems to persist even though the two sides often agree on what counts as "torture," what it does to the person who is subject to it, how likely it is to secure valuable information, and so on, and even though both sides are familiar with standard consequentialist justifications for rare uses of torture, and with standard rights-based, respect-based, or virtue-based arguments that it is

¹ A recent poll of philosophers found that although many expressed some degree of sympathy for the arguments for vegetarianism or veganism, a majority (66%) are omnivores. See Leiter (2012).

² For sample arguments on each side, see Singer (1972) and Arthur (2011).

inherently and always impermissible.³

Example #4: Paternalism A fourth example is paternalistic actions taken by a state to protect its citizens from themselves. Many philosophers have held that that, as autonomous agents, adults are entitled to choose how to live their own lives, even if allowing them to make those choices will predictably result in their harming themselves in preventable ways. Other philosophers have argued that some paternalism is clearly justified, particularly in cases where restricting people's freedoms with respect to particular choices will cause them to have more freedom in the long run. Once again, these debates seem to persist even between persons who have shared conceptions of what autonomy is, who are agreed on what the expected consequences of enforcing certain paternalistic laws would be, and who have looked at the arguments offered by their opponents. Their disagreement seems simply to concern whether an adult's autonomy may be overridden in her own interest.⁴

Example #5: Non-Deterring Punishment A fifth example is whether punishment that has no hope of deterring future crime is morally justified. Many philosophers believe that suffering is always bad in itself (even if it may be justified in some cases by its effects) and that there is nothing intrinsically valuable in bringing further harm to an offender, and thus conclude that the only valid justification for punishment is deterrence of future violations. On the other hand, many philosophers are retributivists who believe that it is good when offenders to receive the just punishments for their crimes, even if those punishments have no deterrence value at all. Thus they believe that it would be appropriate to punish someone for a crime he committed even if no one would find out that the punishment had been carried out, and even if he were about to die

³ For sample argument in favor of the view that torture may be defensible, see Dershowitz (2011).

⁴ For a classic defense of paternalism, see Dworkin (1972).

anyway. As before, these philosophers have no disputes concerning the degree to which various forms of punishment actually deter crime; they simply disagree on whether it is valuable in itself for the guilty to be punished.⁵

In the interest of the reader's patience, I will take that to be enough examples. I think other issues could no doubt be added to our list, although for certain disputed matters the debate may turn to a substantial degree on disputed non-moral matters – abortion and environmental issues may be two such issues.⁶ But in any case, I think this list will support two important conclusions: First, very large parts of how we live our lives depend on views we hold that remain seriously disputed. For instance, what we eat and what we feed our families, how much time and resources we ought to spend on our families, the kinds of rules we ought to impose on our children as they become adolescents and adults, which political parties we ought to vote for, and what sorts of causes we ought to campaign for are all determined by the answers to these questions. So although we perhaps *could* significantly decrease our levels of conviction with respect to some or all of these questions in light of existing disagreement, to do so would seem to require either jettisoning deeply held commitments, or seeing many of our actions as morally problematic, because undertaken without sufficient justification. Second, as should be familiar and apparent, many of the existing disagreements over these matters result from basic differences

⁵ For a classic argument in favor of retributivism, see Pojman's piece in Pojman and Reiman (1999).

⁶ Although even here I think that it is not nearly as clear as some people suggest that settling the non-moral questions would settle the moral ones, as often the putative non-moral issues strike me as subtly imbued with moral implications. For instance, it is sometimes suggested that if it were agreed what constitutes a "person," the abortion debate would largely be solved. However, by "person" here more is meant than "being with $x\%$ chance of developing into an adult human if not destroyed, with y degree of capacity for pain and/or self-awareness, with z degree of physical resemblance to a newborn infant...etc." Rather, "person" in the sense it is used in this debate means something more like "being with rights," in which case it is really a moral category.

in the normative theories that people ascribe to. People that approach morality from the Kantian perspective that autonomy is always to be respected will arrive at different views across a wide range of questions than will consequentialists. Certainly, these people end up *agreeing* on many matters as well. But their differences with respect to many questions seem to me ultimately to result from their fundamentally different ethical approaches.

2.2 Confidence in Moral Intuitions vs. Credentials of Disputants

Of course, it does not immediately follow, on the Relative Weight View, from the fact that the sort of disagreement that I described in the previous section exists that everyone's judgments about these issues fail to be justified. For it may be that many people are *highly justifiably confident* in their disputed moral judgments, or that they will not have sufficient grounds to treat those who disagree with them on these matters as anything close to their peers. After all, epistemic peerhood is to some degree domain specific, and just because some people are our peers with respect to issues in, say, metaphysics, does not mean that they are our peers with respect to disputed moral matters. However, I'll now argue that in light of facts about the existing disagreement over these questions, it is quite implausible that, if the nature of moral judgments is as the realist says that it is, we are entitled to maintain significant confidence in our disputed moral views. I will first argue that whatever degree of justified confidence we might have in our judgments about disputed moral matters, on the assumption of moral realism, it will fall substantially short of certainty. And I will then argue that our grounds for treating many of our philosophical colleagues who disagree with us as close to our peers are quite strong.

2.2.1 Confidence in Particular Disputed Moral Judgments

How confident should we be, then, in our various moral judgments, assuming realism is true? It may seem that we should be almost supremely confident in many of them; as I said in chapter three, we can hardly imagine that it would be epistemically appropriate to drop our convictions that, for instance, it is wrong to torture people for fun, or that pain is *pro tanto* bad, even if people we respected on various matters disagreed with us, because we would take ourselves to be justified in concluding that such people simply could not have high comparative epistemic credentials with respect to moral questions.

However, I think that there are at least three reasons why we should not be nearly so confident (again, assuming realism is true) in our judgments about the sorts of disputed matters that I discussed in the previous section as we should be in judgments like the one that pain is *pro tanto* bad. The first reason is that it seems to me that they very often ultimately depend simply upon our intuitions, and empirical results suggest that moral intuitions are notoriously fickle, often affected by what on reflection are clearly morally irrelevant framing effects. Why do I say that our views about disputed moral judgments ultimately bottom out in moral intuitions? I say this simply because it seems an accurate description of how discussion typically proceeds over disputed moral matters: when people disagree about a moral evaluation of a particular case, they often will have nothing further to say about why they evaluate the case as they do – in which case I would say that their judgment about the case is based on an intuition – or will show how it follows from or is similar to other cases about which they have firm judgments about which they have nothing further to say. When we disagree over ethical questions with other philosophers in this way, it is infrequent that we conclude that we or our disputants have committed obvious failures of reasoning, and more common that we find we either have different starting points

from which our particular judgments derive – for example, some of us are consequentialists, and some of us are not – or we disagree about what follows from shared starting points – for instance, some of us think it follows from the fact that torture is dehumanizing that it is never permissible, and some of us deny that inference. Of course, I do not say that *all* discussion about disputed cases proceeds in this way, but very often in philosophy it does.

People's moral intuitions are subject to framing effects in that, in seemingly significant cases – largely “trolley-problem” cases and close relatives, which involve decisions to act or not to act in ways which will result in deaths to specified numbers of people – different reactions are elicited from people depending upon the order in which cases are presented, the precise words that are used, and whether certain actions are framed as part of, or a departure from, a status quo.⁷ These results are experimentally robust, suggesting that people's judgments about whether to act in a way that will result in the death of one person rather than a handful are indeed hostage to what seem to be clearly irrelevant framing effects (a worrying result indeed). And if framing effects matter in cases like these, there is good reason to think that they matter in other important cases, too. Now it might be objected that philosophers are less likely to be subject to such tendencies, and thus that this does not provide us with a reason to doubt our own moral intuitions. We (philosophers) might be less subject to framing both because we are more careful in our thinking, and better are drawing relevant and irrelevant distinctions, and also because many of us are *aware* of these studies, and hence can actively control for these effects. However, even if that is so, I think it is grounds to be less confident.

The second reason why I believe we should be not entirely confident in our judgments concerning disputed moral matters is one which we first saw in chapter two, in discussing realist

⁷ See Sinnott-Armstrong (2008b).

responses to the Abductive Argument. There, I noted that the realist could offer a reasonable explanation of the existence of much moral disagreement by noting people's tendencies to rationalize. In particular, I noted that it is not surprising, even if moral realism is true, that people's moral judgments would tend to reflect their ways of life, since people would want to see their ways of life as morally justifiable. But if we are given to rationalize when considering moral questions, then, assuming our moral judgments are non-indexical beliefs, we should be less confident in our moral judgments than we would otherwise be.

It may be objected that this tendency to rationalize only plausibly goes one way – that while it might be true that people will tend to convince themselves that ways of life which are beneficial for their own self-interest (or that of their family, community, etc.) are morally permissible, moral intuitions that go *against* our self/family/community-interest are likely to be secure, since we find them apparently true despite having a natural inclination to reject them. However, I see no good reason to think that the phenomenon of rationalization should be unidirectional, unless we are implicitly committed to some form of psychological egoism, or at least to some similar theory that says that people only desire the good of their kin, or their communities, or whatever, and although I cannot go into the matter here, I think all such views are deeply suspect, as it seems apparent to me that some people do care directly about things other than their own well-being, or that of a group close to them.⁸ When one cares directly about someone or something which is more likely to be protected, more likely to have its interests promoted, or whatever, if people hold certain moral judgments with respect to it, one may be moved to adopt those judgments oneself for epistemically questionable reasons. Thus it is not fair to suggest that only the lover of the taste of meat who wishes to feel that his practice is

⁸ I also expect that the vast majority of moral realists reject psychological egoism.

justified will be likely rationalize away from the putative moral truth – the animal lover may also be inclined to overemphasize how much animal interests count.

The third and final reason why I think we should have only limited confidence in our moral judgments about disputed issues is that our great confidence in judgments like the one that pain is *pro tanto* bad results in large part from the fact we do not find *any* moral reasons that tell *against* such views. But this does not seem true of the sorts of cases I discussed in the last section; those are cases in which there are considerations on each side which have legitimate *prima facie* pull, even if they are not at the end of the day convincing. For instance, although it seems to me that it counts strongly against eating certain kinds of meat that it requires killing a sentient and moderately intelligent being, thereby depriving it of a future of value and any further chances to fulfill its desires, it also seems to me to count somewhat in favor of the permissibility of meat eating that it is healthy and satisfying, and that any rights that animals have to life do not seem to be as strong as those of humans. So whatever one's intuitions about this matter may be, I think it is an exaggeration to say that that one recognizes a downright *obvious* truth in holding the view one does. Thus, while it is possible for all I have said that some people may have strong intuitive justification for their views on controversial moral matters, I think their degree of justified confidence will still fall *well* short of certainty.

2.2.2 Assessing the Relative Epistemic Credentials of our Disputants

There are two main reasons why I think most of us should assess many of our philosophical disputants to have at least fairly strong relative epistemic credentials. The first reason is that, as I discussed in the previous chapter, I take it to be apparent to most of us that many of those who disagree with us about the sorts of issues I have presented do have track

records on various difficult questions that our roughly comparable to our own.⁹ More specifically, I take it to be true of most of us that we know other persons about whom the following two conditions hold: first, that they are not our inferiors with respect to their abilities to reason correctly from a given set of assumptions; and second, that their philosophical intuitions are roughly as reliable as our own. Since our judgments about the sorts of disputed moral issues I have presented will, I have argued, typically ultimately depend upon our intuitions – either about fundamental moral principles, or about how much relative weight to give each of two relevant but competing considerations – if we have reason to think that others who disagree with us also have reliable intuitions, then we should think that their epistemic credentials are relatively strong.

To this, it may be objected that a person's epistemic credentials can be domain-specific. For instance, someone can be an expert on African history and know very little about particle physics. Thus, the fact that someone has (relatively) reliable intuitions on matters in say, the metaphysics of color, does not automatically entail that she has reliable intuitions with respect to how much we are morally required to give to charities to combat famine relief. In terms that we encountered in chapter three when discussing the Epistemic Argument, it is possible that some people who are good judges on many questions – even within philosophy – may suffer from a kind of moral blindness.

Although I think this is an important possibility that cannot be ignored, I am dubious concerning how much mileage the moral realist can get here. For one thing, it is not as though

⁹ I admitted then that this may not be true of everyone, and I do not write off that possibility now. However, I do think that those people who are justified in believing that they have very few or no peers will certainly be the exception and not the rule, and, to get ahead a bit, if the best explanation of how *most* people respond to moral disagreement with near-peers is an anti-realist view, then I still think realism loses some plausibility.

epistemic credentials are *infinitely* domain-specific: if someone is a reliable source on algebraic questions, for instance, then, in the absence of a good reason to think otherwise, we would assume her to be a reliable source on geometric questions as well. This is, obviously but importantly, because the kinds of skills involved in arriving at truths in the two domains are similar. Now I do not want to take a stand on what exactly having a philosophical intuition consists in. But in any case it does seem to me that people who have reliable intuitions in one area of philosophy often tend to have reliable intuitions in others. Moreover, most of the obvious cases in which we take someone to be much more reliable within one domain of inquiry than another are cases in which the person's empirical knowledge in the former domain far exceeds her empirical knowledge in the latter. This is clearly what is going on when we consider someone an expert on African history but not on particle physics, for instance – we simply think that the person has studied African history in much greater depth. So although I certainly do not simply reject out of hand the possibility that someone could have reliable intuitions in areas of philosophy outside of ethics, but not within ethics, I do think that we would need a special reason for thinking this to be the case, and in the absence of such a reason should expect her intuitions to be at least *fairly* reliable – as compared to our own – across the board.

At this point the objection might be pushed further that we often *do* have just such a reason for thinking that our disputants are morally blind: namely, they do not accept the positions on various moral issues that strike us as the right ones. And in light of the ineliminability of some degree of self-trust discussed in the previous chapter, the fact that a person holds lots of views that strike you as mistaken *must* be able to provide you with grounds for demoting her assessed epistemic credentials. However, this provides a nice segue into the second major reason why I think we should continue to trust to a significant degree in the

epistemic credentials of many of those who disagree with us about the sorts of issues mentioned earlier. This is that they *do* share our views with respect to at least a number of basic moral questions. For it is not as though the kinds of disputants that we are truly worried about are people who deny that pain is *pro tanto* bad or that torturing kittens for fun is impermissible. Rather, they are people who agree with us to some extent concerning what considerations have moral weight; they simply disagree with us (often strongly) about how much weight to give various considerations. Thus even if many of their judgments strike us as quite mistaken, it becomes less plausible to say that they are simply “morally blind” whereas we are not than that they are simply *sighted differently*. To flesh out the metaphor a bit, I take our situation *vis-à-vis* our philosophical disputants on matters like those discussed above to less like a case of disagreeing over colors with someone who fails to distinguish any at all, and more like a case of disagreeing with someone who seems to us to get pure color judgments right, yet disagrees with us about which color is more prominent in all sorts of mixtures. Disagreement of the first sort would not cause us to revisit our judgments, but disagreement of the second sort would.¹⁰

Combined with the reasons I have given for being somewhat cautious about our own judgments about controversial moral judgments in the first place, I conclude that it is quite plausible that, if moral realism were true, and our moral judgments were non-indexical beliefs, we should significantly reduce our confidence in our judgments about most controversial matters, likely to the point of withholding judgment about a number of them.

¹⁰ That is, if we are color realists – which we might not be.

3. A Potential Objection to Premise 2)

It might be objected that even if premise 1) of the Best Argument is true, the argument as whole fails because premise 2) is false. Now one might argue this on the grounds that the Relative Weight View is, in general, false. But I considered all of the main objections to that effect of which I am aware in the previous chapter, and thus will assume here that I addressed them successfully. One sort of objection which I did not consider, however, which might matter to the Best Argument *in particular* would be one to the effect that the Relative Weight View is *generally* true, but that it simply does not apply in a particular domain (or domains). This strikes me as implausible on its face, but let us assume it could be true. It might then be argued that although the kind of disagreement in non-indexical belief that I discussed in the previous section would, *usually*, demand that one significantly reduce one's confidence in the disputed proposition, this does not hold in the moral domain. In short, the proposal would be that moral epistemology has its own rules, so to speak.

The only response I know to give to this proposal is that making this move seems to me to be very costly for the moral realist. For as I noted in my characterization of moral realism's literalness thesis in the introductory chapter, realists take moral judgments to be just what they appear to be: ordinary beliefs whose subject matter is the putative moral truths. If the realist proposes a new epistemology for moral beliefs, then moral beliefs are special and unusual. It then seems to me that the realist sacrifices to some extent the advantage she wishes to claim of being able to best capture the surface features of moral discourse. And this would be a disagreement-based loss of plausibility points.

4. Defending Premise 4)

Let me begin my defense of the fourth premise by addressing what would seem to be an obvious objection to the Best Argument: Isn't the plausibility of premise 4) clearly *inversely* proportional to the plausibility of premise 1), in such a way that both cannot be plausible simultaneously? Specifically, if the sorts of considerations I adduced in §2 are plausible, and we should be both somewhat doubtful concerning our grasp of the truth with respect to controversial moral matters and fairly trusting of the moral intuitions of others, then don't we have every reason to think we *should* suspend judgment about moral matters? And conversely, if we think that we should *not* concede in the face of disagreement about controversial moral matters, then isn't that powerful reason for concluding that we are extremely confident either that our own judgments are true, or else that our disputants are not reliable detectors of the moral truth?

But these conclusions do not follow unless we assume that moral realism is true, and of course that is precisely what is at issue. What the objection ignores is that premise 1) is *conditional*, as was my defense of it – I did *not* argue that we should *in fact* doubt our moral intuitions, when we encounter disagreement about them with people whom we take to have generally reliable philosophical intuitions. Rather, I argued that we should do so *if* moral judgments were as the moral realist takes them to be. It seems to me fully coherent to hold that one ought to remain firm in the face of disagreement over many moral matters even with persons about whom we accept the following conditional: *if* our moral intuitions purported to track non-indexical moral truths, then we should expect their intuitions to be as reliable as ours.

Now I acknowledge that our common ways of speaking about moral judgments tend to encourage the thought that premises 1) and 4) cannot be mutually plausible. For I do not deny the realist's claim that her theory best captures the surface features of moral discourse, and that

moral statements *look* like any other non-indexical belief reports. I think this creates the temptation to think that the only reasons one could have to stick to one's guns in the face of moral disagreement would be that either one is sure that one is getting at the *facts*, or that one is sure that one's opponent is *failing* to get at them. But, again, this is simply to refuse to acknowledge any form of moral anti-realism as a potential option. And even if various forms of moral anti-realism do not best explain the surface features of moral discourse, if they better explain *other* aspects of our moral discourse and practice – such as how we take it to be appropriate to respond to disagreement – then those views may be plausible overall.

In any case, to avoid confusion as much as possible, I will avoid saying things like “we should be confident in our moral judgments even in the face of disagreement.” I of course do not deny that we often *speak* in such a way, but anti-realists will need to explain what exactly “moral confidence” amounts to, which is not confidence in the truth of a non-indexical belief. So instead what I will say is this: our commitment – of whatever sort moral commitment is – to a great deal of moral judgments is such that we feel we ought not to back off of it in the face of disagreement.

Why, then, do I think this? Unfortunately, I do not think that premise 4) is something that I can argue for directly from general principles, because I do not think that it is a norm of moral epistemology which can be derived from other norms we accept. Rather, I think that it is a (true) *generalization* of how we feel that we *ought* to respond to moral disagreements about all sorts of disputed matters. To put it a bit differently, it is not that we have independent motivation for the claim that we ought not to defer in cases of moral disagreement, unlike in cases of paradigmatically factual disagreement, and we then apply that norm to particular cases of moral disagreement. Rather, it is that our *degree and/or type of commitment* to the various particular

disputed first-order moral judgments that we hold is itself such that we judge that we ought to maintain them even in the face of disagreement with persons with whom disagreement normally *would* call for reduced confidence.

Thus the only way that I know of to defend premise 4) is to revisit the sorts of examples of disputed moral matters that I considered earlier, and to note that each of them seems to describe a case in which we feel that one side to the disagreement ought to maintain her position. So for instance I think that those who judge that vegetarianism is morally required also judge that we ought to stand by that judgment even when persons whose epistemic credentials with respect to various philosophical questions are strong. And it is not as though the disagreement does not give us grounds to doubt that we are tracking realist facts about what is right and wrong. It is simply that we judge that the *cause* which our judgment concerns is too important for us to abandon the judgment. And it is not as though only the vegetarian makes such a judgment. Just as the vegetarian holds that animal welfare is too important of a cause to abandon, the meat eater holds that it is important to protect her right, and that of others as well, to engage in a healthy, enjoyable activity without being subject to blame, interference, or punishment. For morality is essentially involved with what behaviors and ways of life are justified, and with what things should be encouraged and discouraged, rewarded or prohibited by threat of punishment.¹¹

In a sentence, I believe that those who judge that vegetarianism is morally obligatory tend also to make the *further* moral judgment that they ought to continue proscribing meat eating even in the face of disagreement with a respected party, and likewise that those who believe that meat eating should be permitted make the further judgment that they should continue prescribing its

¹¹ As John Stuart Mill famously wrote, “We do not call anything wrong, unless we mean to imply that a person ought to be punished in some way or other for doing it; if not by law, by the opinion of his fellow-creatures; if not by opinion, by the reproaches of his own conscience” (Mill 1861/2001: 48-49).

toleration even in the face of such disagreement. And – although I will not go through them again – I take something similar to hold in the various other cases of disputed matters that I introduced earlier.

Now it is sometimes suggested – although, so far as I can tell, more often informally than in print – that arguments for paradigmatically metaethical theses should be “neutral” with respect to “normative,” or “first-order,” ethics. I am not sure myself what the motivation for such a thought is supposed to be. The only plausible justification for such a thought that I can imagine is that one might think it to be a constraint on anything’s even being a *candidate* for being a metaethical truth that it be able to accommodate all plausible normative ethical judgments. And I simply do not see why we should find this plausible. If there is a normative ethical principle to which we are deeply committed but which can only be accommodated by a particular metaethical thesis (or family of theses), why should arguing for the metaethical view on that ground be disallowed?

To be clear, I do not claim that the sorts of moral judgments concerning how we ought to respond to disagreement which I claim that we hold can *only* be accommodated by the moral anti-realist. For I do not claim that the Best Argument is a deductive argument which, if the premises are true, deductively establishes moral anti-realism. But I do think that the sorts of moral judgments to which I am appealing are *better* explained by moral anti-realism than by realism, and so there is clearly an important sense in which the argument is not metaethically neutral. But I have just tried to show why I do not see how this constitutes an objection in any way.

A different sort of objection that might be lodged against my defense of premise 4) is that the moral intuitions to which I appeal, concerning how we ought to respond to moral

disagreement, are intuitions that only a moral anti-realist would share in the first place, with the result that the Best Argument as a whole is problematically question-begging. So I also want to emphasize that I do *not* think that the intuitions to which I appeal are ones which are held primarily by anti-realists, and that quite to the contrary they are often the sorts of intuitions that attract people *toward realism* in ethics.

An excellent example of this is found in Enoch. Enoch explicitly states that one of the only reasons to care whether moral realism is true is that the kind of moral objectivity that realism promises to secure entitles us to “take morality seriously,”¹² whereas he is dubious that other metaethical views can do so. To that end, he argues against all so-called “response-dependence” metaethical views, according to which morality in some sense depends upon our non-doxastic attitudes, roughly as follows:

- 1) (Response-Dependence) Moral judgments are in some sense based on non-doxastic attitudes. (Assumption for Redutio)
- 2) Thus, moral disagreements ultimately reduce to disagreements in attitude. (From 1))
- 3) (Impartiality) When two people disagree in their (non-doxastic) attitudes, each person ought to recognize that an egalitarian solution is called for. Since no one’s attitudes are intrinsically more important than anyone else’s, each person’s attitudes should be weighted equally in determining what to do. (Premise)
- 4) Thus, an egalitarian solution is called for in cases of moral disagreement. (From 2) and 3))
- 5) But such an egalitarian solution is often *not* called for – rather, in moral disagreement the person who is right should stick to her guns. (Premise)

¹² Enoch (2011: 8-10).

6) Thus Response-Dependence is false. (From 1), 4) and 5))¹³

It should be evident that Enoch's premise 5) is similar to premise 4) of my Best Argument.

Enoch's defense of the principle, which is not dissimilar to mine, is simply that it seems intuitively clear in many cases that we should not back off of our moral views when someone disagrees with us. But given the moral premise Enoch calls Impartiality, it would follow that we *should* be prepared to back off of our moral commitments if some response-dependent metaethical theory were true. Thus we would in effect be cowed by moral disagreement, unable to insist that we should proceed based upon what is morally right rather than upon an egalitarian averaging of interests (or flipping of a coin, or some such). It is in that sense that we would be unable to "take morality seriously." And clearly Enoch thinks this is a *very* serious cost.

Now I do not think that this argument succeeds in showing that a response-dependence theorist cannot take morality seriously, because I do not think that we accept the unqualified moral claim of Impartiality. Rather, we accept only a *restricted version* of the claim according to which we should seek an egalitarian resolution to conflicts in attitude so long as either attitude can be satisfied without violating our moral requirements. For instance, if the unqualified version of Impartiality were true, it would entail that if I wish to sleep with someone as strongly as she wishes not to sleep with me, we should either find an intermediate course of action, or flip or coin, or whatever, to decide whose preference will be satisfied.¹⁴ But that is certainly not what we judge; we judge that no such weighing should take place in this case, because a person's wishes to determine their own intimate partners override other sorts of preferences, and I would

¹³ Ibid: 25ff. Obviously, like my defense of premise 4) of the Best Argument, this argument against Response-Dependence is not metaethically neutral. But as I have said I do not take this to be in any way problematic.

¹⁴ I thank John Brunero for this particular counterexample to Impartiality, which I think is an especially forceful one.

violate someone's moral rights by taking away her ability to so choose. Enoch might respond that we judge this only *because* we hold the moral judgment that a person is entitled to determine her own intimate partners, but I do not see how that helps. For the response-dependence theorist holds moral judgments too. Moreover, she might reply that our moral judgments are precisely those attitudes which we take to *override* other sorts of preferences.

In any case, The Best Argument turns the tables against Enoch. For given the Relative Weight View which I have defended, and given the arguments I gave in §2, it follows that moral realism will often not allow us to take morality seriously *enough*. Now I should be clear that Enoch does not explicitly discuss the sorts of debatable issues that I have discussed; his example of a case in which we should stick to our guns in the face of moral disagreement involves a person who denies that it is wrong to cause animals pain needlessly, and the Relative Weight View plausibly *does* allow that even under the assumption of realism one will often be justified in sticking to one's guns against a disputant who thinks that.¹⁵ So the moral realist might yet maintain that realism justifies holding onto our moral views in the *most important* cases.

Still, Enoch's argument was worth pausing over because I suspect that his stated motivation for defending moral realism is one that is shared, even if only implicitly, by many (perhaps most) people sympathetic to the view. But if so, then they think it is clear that it is morally important to be justified in holding onto at least certain of their judgments in the face of disagreement. That does not yet take them all the way to being committed to premise 4) of the Best Argument, because it does not establish that they think they should stick to their guns on the kinds of issues I have discussed in this chapter. But the more important and varied are the issues which remain disputed even by persons whose philosophical credentials we have evidence to

¹⁵ Ibid: 23-24.

take to be strong, the more the intuition which Enoch is focusing on will push one toward accepting premise 4). Thus I think it is wrong to say that only those antecedently sympathetic to anti-realism will be inclined to accept the premise; it is those who share the intuition that we should “take morality [very] seriously,” and that seems to include many who do or would identify as realists.

Indeed, I think that whether or not an individual finds premise 4) plausible will in a certain sense depend on just how seriously (in a sense) she takes her moral views. For one who rejects it will be able to maintain moral realism, but, if the views about the epistemology of disagreement that I have defended are true, will plausibly be committed to skepticism across a fairly broad range of moral questions. There is, I concede, a sense in which one who buys this realism/skepticism package continues to take morality very seriously, for she is sufficiently serious about only making moral judgments that accord with the facts that she gives up many of her first-order views. But there is also an important sense in which such a person is *less* serious about morality than the anti-realist, in that she does not take *the contents* of her views to be too important to be subject to undermining by disagreement. And the reason why I think that many of us are committed to premise 4) of the Best Argument is that the sorts of considerations we take to be moral considerations are those which we take to be too important not to advocate for, whatever our disputants may hold.

5. Defending the Abductive Inference

I recognize that not all readers will be convinced by the arguments I have provided in the previous three sections. But I am going to assume from hereon that those arguments succeed, and now ask whether the resulting situation is better explained by some form of moral anti-

realism than by moral realism. To be explicit, the situation is this: we hold many moral judgments which, under the assumption of moral realism, would be such that we ought, epistemically, to significantly reduce our confidence in them, yet we judge that we *morally* ought not to do so.

Let us first note that there are theoretically two options open to the realist here: she may either try to explain the datum which I have proposed, or she may deny that there is anything that needs to be explained. And there is one *prima facie* appealing reason for thinking that there is nothing important to explain. This is that the datum is *not* that we morally ought to reduce our confidence in our judgments, but also morally ought not to, *nor* is it that we epistemically ought to reduce our confidence, but epistemically ought not to. It is that, on realist assumptions, we epistemically ought to reduce our confidence but, on everyone's assumptions (or so I claim), we morally ought not to. And of course the idea of there being different sorts of "ought"s which council opposed things is, as I noted early in chapter four, familiar and unproblematic. So shouldn't the moral realist just wave off the datum I have proposed in this fashion?

However, this seems illegitimate by the realist's lights. When the realist says "we morally ought to Φ ," by her lights she expresses the proposition that it is a moral fact that we ought to Φ . And so in order to be sincere she must *believe* that proposition. But disagreement over whether we morally ought to Φ should, by her lights, cause her to revise this belief. Thus she cannot continue to hold that we morally ought to Φ after discovering the disagreement without acting epistemically irresponsibly, unless of course she is epistemically entitled to stand her ground despite the disagreement, which, we are now supposing, she isn't. And I take it this epistemic irresponsibility needs to be explained.

And then as far as I can tell, there is only one move that the realist can make to explain it, which is to reemploy the “rationalizing” response which we have considered several times already. That is, the realist will presumably have to say that our judgment itself that we ought to remain firm in the face of moral disagreement results from rationalizing. In other words, the realist will accept that we *judge* that we ought to remain firm in the face of moral disagreement, but that in reality we ought not.

I have two responses to this proposed explanation – one more moderate and one more extreme. The moderate explanation is that it still is not a particularly *good* explanation – compared to the anti-realist’s – since it attributes to us considerable error. It says that we are epistemically irresponsible in continuing to be committed to our disputed first-order moral views in the way that we are, when we feel that our commitment to them is entirely appropriate. Moreover, if we accept the plausible substantive ethical principle that it is wrong to continue advocating for, and blaming and/or punishing people to advocate for, causes which, by our own lights, we have insufficient justification for, then we are committing a *moral* error as well.

The more extreme response to the realist’s proposed explanation is that in some sense the better the explanation works, the less it counts as a consistently *realist* explanation. This is because if the best explanation of our tendency to feel that we *ought not* to give in in the face of moral disagreement even though it is epistemically irresponsible not to do so is that the tendency to rationalize is virtually unavoidable for us, this arguably says something about the nature of moral judgments. Remember that part of the realist’s cognitivist thesis is that moral judgments are beliefs, states that, metaphorically, aim to “fit the world” rather than to “make the world fit them.” The more unavoidable our tendency is to do what the realist describes as epistemically irresponsible rationalizing, however, the more it looks like the states of mind that are those

judgments are not really beliefs. For if they are states that systematically do not update or revise in response to (what would count as) evidence against them, then arguably they have essential desire-like qualities.

An objection that may be raised here is that there are other propositions toward which we do not, and perhaps even *cannot*, reduce our confidence even in the presence of apparent refuting evidence. One example here may be belief in free will: perhaps we continue to believe that we are free, even when we examine good arguments for physical determinism, and against “compatibilism,” the thesis that free will may exist even in a physically deterministic universe. Or perhaps it will be alleged more generally that people could not – that is, would not be psychologically able to – respond to disagreement in the generally concessive way that I recommend, and nonetheless my view says that they should, and it can only do under the assumption that those judgments are non-indexical beliefs.

My response to this is that I think there is an important difference between states of mind which do not update in response to evidence because we *cannot* update them in the way called for, and states which do not because we *will not* update them in the way called for. To the extent that we can exhibit any voluntary control over our doxastic states – which I grant is limited, but we may certainly choose to act in ways that will influence what we will believe in the future – I think that deferring in response to moral disagreement *is* possible. I think we could, for instance, try to emphasize to ourselves the important credentials of our disputants, and the arguments that they take to be relevant. I claim that we think we can but *shouldn't* defer in the face of moral disagreement.

However, a more worrisome objection might be that I am focusing on merely one *aspect* of our moral judgments, and that the fact that we do not update them in response to (what I claim

is) significant disagreement-based evidence does not mean that they do not update in response to *other* sorts of evidence, and thus are not still beliefs. In response to this, I first concede that the argument I have offered does not aspire to *decisively* show that our moral judgments are not non-indexical beliefs; what it purports to do is to provide some substantial grounds for thinking that they aren't. And I still maintain that it does so. For one thing, the more moral disagreement there is with our philosophical peers, the more evidence there is that we *systematically* ignore. But more importantly, it is one thing to attribute a belief in *p* to an inappropriately stubborn person who will not respond to evidence against *p*, and to diagnose the person's situation as that she ought to give up her belief, but doesn't. It is another thing to attribute a belief to an individual and to simultaneously say that she *ought* to ignore evidence against it.

I conclude, then, that while the realist can give some explanation of the datum that we feel we morally ought to maintain certain of our moral judgments even though we epistemically ought not, the realist's explanation is not entirely satisfying. On the other hand, the anti-realist has available explanations which are straightforward and seem to account for the data fully. Namely, the anti-realist may say that moral judgments are indexical beliefs,¹⁶ or that moral judgments simply are not beliefs, and this is why the epistemic disagreement norm does not always apply. To head off a potential objection, I should say that I do not deny that we often feel that upon discovering disagreement in indexical belief or in non-doxastic attitude that indeed we ought to either revise our judgment or at least revisit our grounds for it. But nor do I deny that in *some* cases of moral disagreement do we find it appropriate to do so. What I do say is that quite

¹⁶ I recognize that not all versions of this sort of anti-realist view will account for the datum. Consider for example the view that moral judgments are implicitly indexed to the members of a given society. As long as we find the right sort of disagreement between members of a single society – which we almost certainly will – this view will *not* account for the datum. I take my argument also to target such views.

routinely we find it appropriate to stick to our guns about indexical beliefs or about non-doxastic attitudes in the face of disagreement, and likewise with moral judgments. So I conclude that the anti-realist does indeed better explain the datum than the realist.

6. Defending Premise 6)

If the arguments to this point have been successful, then we are entitled to conclude that the anti-realist better explains our epistemic practices with respect to a particular, but common and substantial, phenomenon of our moral judgments than does the realist. However, the realist might still want to deny that this wins any plausibility points for moral anti-realism *in general*, since it does not say anything about those moral judgments which are not subject to the right kind of disagreement. That is, the realist might concede to some degree, but insist upon a kind of “patchy” or “mixed” view according to which some judgments we make about what is good or bad, right or wrong, virtuous or vicious, and so forth, are paradigmatic beliefs, while some are not, perhaps reminiscent of that defended by Doris and Plakias.

I admit that this view has at least some initial plausibility. For it does seem to me that we use the word “good,” in different ways, and that it should not be ruled out from the start that some of those uses are realist and some are not. Perhaps my judgment that Joe is a better chess player than Jenny is a belief, for instance, whereas my judgment that Jenny is a better *person* is not. And if we are prepared to entertain this possibility, why should we not recognize the possibility that my judgment that Jenny is a better person than Hitler could be a belief, whereas my judgment that Jenny is a better person than Joe might not be?

The main reason why I find this highly implausible, however, is that it seems to allow that what sort of state of mind a particular moral judgment is can vary depending on facts

external to the agent who holds it. It would seem that the *reason* on this sort of account that my judgment that Jenny is a better person than Hitler counts as a belief is that there is not the right sort of disagreement about it, whereas there is (suppose) the right sort of disagreement over my judgment that Jenny is a better person than Joe. And this strikes me as a very strange. It seems to allow, for instance, that what kind of judgment an individual holds could vary depending on what other people think, even though nothing inside that agent ever changed. And this strikes me a *reductio* of the sort of patchy view now under consideration.

Thus I take it there are good grounds for concluding that all judgments which employ a particular moral predicate, used in a particular sense, must be of the same type. Hence the fact that the best explanation of our epistemic practices with respect to certain moral judgments is anti-realist is some grounds for thinking that all judgments, at least those involving the same predicate used in the same sense, are best understood on anti-realist lines.

7. Assessing the Force of the Argument

In this final section, let us step back and ask what exactly the argument purports to show, and what the implications are for the overall plausibility of realist and anti-realist metaethical views if it succeeds.

What the argument purports to show is that there is reason to doubt that judgments we hold about the applicability of at least *some* moral terms are as the realist takes them to be. One thing I certainly have not contended, and which I leave open, is whether this is true of all terms which are reasonably described as “moral” terms. It may be, for all I have said, that disagreement provides no case against realism with respect to some or all of the so-called “thick” ethical terms – those whose meaning seems to include a moral, evaluative component as well as

a non-moral, descriptive component, such as “just” or “cowardly.” But I do claim to have presented an argument that disagreement does make some trouble for realism about the *most fundamental* moral predicates, such as right and wrong, and good and bad.

As I have emphasized, the argument does not purport to make a slam-dunk case against moral realism, but only to show that realism loses significant plausibility points owing to facts surrounding how we take it to be appropriate to respond to certain moral disagreements. Unfortunately I cannot hope to quantify more precisely what is meant by “significant” here, except to say that I certainly mean “non-negligible,” and that this is a cost that the realist pays.

One thing I should be clear about here is why I think that the argument I have offered is not deeply vulnerable to one of the objections that I myself pressed many times against the various versions of the Abductive Argument that I considered in chapter two. That objection was that even if the anti-realist best explains the existence of some types of disagreement, that case will be counterbalanced against the realist’s explanation of all of the agreement that there is. I found this objection very serious because the versions of the Abductive Argument which feature an aspect of moral disagreement that it is more difficult for the realist to explain typically have less disagreement to appeal to, and if the realist must give a less-than-fully satisfactory explanation only in a limited number of cases, that does not seem like a great cost, particularly given that she may appeal to convergence as being best explained by realism, in which case she may win out overall in plausibility points based on disagreement and agreement.

My Best Argument from disagreement is to some extent still vulnerable to this objection, in that I cannot rule out the possibility that realism’s better explaining convergence of moral opinion wins more plausibility points for it than anti-realism’s better explaining our epistemic practices of responding to disagreement costs it. However, it is *not* true that the anti-realist’s

cases in which we respond to disagreement in ways that the realist must say we ought not are counterbalanced against cases in which we respond as the realist says we ought. For what I allege is that we stick to our guns *far* more than we should if realism were true. Yes, there are lots of issues on which we agree with our philosophical peers, but those are irrelevant for the purposes of my argument. What I do need is there to be a *wide* range of cases in which we respond in what is, for the realist, an epistemically inappropriate way, and I claim that there are. The question then (if my argument succeeds) is whether the anti-realist gets more plausibility points from the phenomena surrounding the response to moral disagreement which I highlight than the realist gets from explaining moral convergence. I would like to be able to give an answer to this question, but I do not know what it is.

In any case, I recognize that many realists will remain unconvinced that I have secured *any* plausibility points for anti-realism, most especially because I suspect that they will respond that the plausibility of premise 1) tells against the plausibility of premise 4), and *vice versa*. I have argued that if one comes in neutral with respect to the truth of moral realism that the two do seem plausible together. But of course here I can only appeal to my own experience, which may not be shared by others. It may be that the plausibility of this argument will be disputed by my epistemic peers, in which case I accept that I should suspend judgment about it. As I emphasized in the previous chapter, however, the fact that the argument has the *potential* for such self-defeat does mean that it *is in fact* self-defeating.

I also have only looked at one issue among the many, many issues which are relevant to determining the most plausible overall metaethical theory. I have not looked at whether various anti-realist theories may provide a plausible moral semantics, at whether they can account for the surface features of moral discourse which make it appear “objectivist” and anti-relativist, or at

whether they can provide a plausible account of moral knowledge. And all of these are taken to be *big* problems for at least some anti-realist theories. Indeed, I have not even looked at all of the issues relevant to *disagreement itself* which might be relevant to determining the most plausible overall metaethical theory. For it has been argued that many anti-realist theories cannot even explain what moral disagreement *is*, given their assumption that it is not disagreement in non-indexical belief.¹⁷

So for this reason I am very modest with respect to the conclusions of this dissertation. For if the realist secures significant plausibility points owing to what she says about the sorts of issues that I have just mentioned, she may be prepared to happily accept the cost that I claim disagreement imposes on her. But more than that, what she says about some of these issues may indirectly motivate her rejection of premise 1) or 4) (or both) of my Best Argument.

With that said, I do think that what I have provided here is the best formulation of what I take to be a widely shared but often inchoate thought that moral disagreement is worrisome for moral realism. I do not think that we have sufficient grounds to believe that there is enough disagreement of the right sort for existing versions of the Abductive Argument to be very persuasive. And I do not think that existing versions of the Epistemic Argument sufficiently motivate their rejection of moral skepticism or of the “moral sense.” But the Best Argument combines these in that there perhaps *are* enough moral issues about which we feel that we *ought* not to back off of our commitments to suggest that we implicitly reject the realist’s moral epistemology. Still, let me state my final conclusion disjunctively: either moral disagreement is a significant concern for the moral realist for more or less the reasons I have presented, or else, absent empirical findings conclusively demonstrating that there is *much* more fundamental moral

¹⁷ See Dreier (2009).

disagreement even among thoughtful, informed people than we presently have available,
disagreement is hardly a problem for the moral realist at all.

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